

BUSINESS PAPER

ORDINARY MEETING

**Wednesday, 11 March, 2009
at 6:30 pm**

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QUESTION OF WHICH NOTICE HAS BEEN GIVEN

QUESTIONS WITHOUT NOTICE

AGENDA AND SUMMARY OF RECOMMENDATIONS

PRESENT

NATIONAL ANTHEM

OPENING PRAYER/S

ACKNOWLEDGEMENT OF RELIGIOUS DIVERSITY

Statement by the Chairperson:

"We recognise our Shire's rich cultural and religious diversity and we acknowledge and pay respect to the beliefs of all members of our community, regardless of creed or faith."

ABORIGINAL RECOGNITION

Statement by the Chairperson:

"We recognise the traditional inhabitants of the land we are meeting on tonight, the Darug and Guringai Aboriginal people, and respect is paid to their elders and their heritage."

AUDIO RECORDING OF COUNCIL MEETING

Statement by the Chairperson:

"I advise all present that tonight's meeting is being audio recorded for the purpose of assisting in the accuracy of the Minutes. The recordings may be accessed by members of the public once the Minutes have been finalised and speakers are requested to ensure their comments are relevant to the issue at hand and refrain from making personal comments or criticisms."

APOLOGIES

PRESENTATIONS

DECLARATIONS OF INTEREST

Clause 52 of Council's Code of Meeting Practice (Section 451 of the Local Government Act, 1993) requires that a councillor or a member of a Council committee who has a pecuniary interest in a matter which is before the Council or committee and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

The Councillor or member of a Council committee must not be present at, or in sight of, the meeting of the Council or committee:

- (a) at any time during which the matter is being considered or discussed by the Council or committee.*

- (b) *at any time during which the Council or committee is voting on any question in relation to the matter.*

Clause 51A of Council's Code of Meeting Practice provides that a Councillor, Council officer, or a member of a Council committee who has a non pecuniary interest in any matter with which the Council is concerned and who is present at a meeting of the Council or committee at which the matter is being considered must disclose the nature of the interest to the meeting as soon as practicable. The disclosure is also to be submitted in writing (on the form titled "Declaration of Interest").

If the non-pecuniary interest is significant, the Councillor must:

- a) *remove the source of conflict, by relinquishing or divesting the interest that creates the conflict, or reallocating the conflicting duties to another Council official.*

OR

- b) *have no involvement in the matter by absenting themselves from and not taking part in any debate or voting on the issue as if the provisions of Section 451(2) of the Act apply.*

If the non-pecuniary interest is non-significant, the Councillor must provide an explanation of why they consider that the interest does not require further action in the circumstances.

CONFIRMATION OF MINUTES

THAT the Minutes of the Ordinary Council Meeting held on 11 February, 2009 be confirmed; a copy having been distributed to all Councillors.

PETITIONS

MAYORAL MINUTES

NOTICES OF MOTION

RESCISSION MOTIONS

MATTERS OF URGENCY

ITEMS PASSED BY EXCEPTION / CALL FOR SPEAKERS ON AGENDA ITEMS

Note:

Persons wishing to address Council on matters which are on the Agenda are permitted to speak, prior to the item being discussed, and their names will be recorded in the Minutes in respect of that particular item.

*Persons wishing to address Council on **non agenda matters**, are permitted to speak after all items on the agenda in respect of which there is a speaker from the public have been finalised by Council. Their names will be recorded in the Minutes under the heading "Public Forum for Non Agenda Items".*

GENERAL BUSINESS

- *Items for which there is a Public Forum Speaker*
- *Public Forum for non agenda items*
- *Balance of General Business items*

GENERAL MANAGER'S DIVISION

Nil

CORPORATE AND COMMUNITY DIVISION**Page Number 1**

- Item 1 CC18/09 REPORT ON THE ATTENDANCE OF THE LOCAL STUDIES COORDINATOR AT THE 12TH AUSTRALASIAN CONGRESS ON GENEALOGY AND HERALDRY IN NEW ZEALAND FROM 16 TO 20 JANUARY 2009**

THAT the contents of Executive Manager's Report No CC18/09 be received and noted.

Page Number 4

- Item 2 CC19/09 JANUARY 2009 INVESTMENT AND BORROWING REPORT**

THAT the contents of Executive Manager's Report No CC19/09 be received and noted.

Page Number 8

- Item 3 CC21/09 STATUS REPORT - DEVELOPMENT OF A COMMUNITY SAFETY PLAN AND THE POTENTIAL IMPLEMENTATION OF CCTV IN THE HORNSBY MALL**

THAT:

1. The contents of Executive Manager's Report No CC21/09 be received and noted.
2. A copy of Report No CC21/09 be provided to the Hornsby Mall Safety Group and the Community Safety Precinct Committee for comment in respect of the development of objectives for a possible CCTV system within the Hornsby Mall which will assist in undertaking Step 6 of the CCTV Guidelines.
3. Council continue with the development of a Community Safety Plan in accordance with the framework and timelines detailed in Report No CC21/09.
4. Upon completion of the Community Safety Plan, Council further consider the sponsorship proposal and technical merits of the proposed CCTV installation in the Hornsby Mall, taking into account any further information about the proposal which becomes available.

ENVIRONMENT DIVISION**Page Number 19****Item 4 EN4/09 TREE REMOVAL AT 4 CARDINAL AVENUE,
BEECROFT**

THAT

1. Council refuse consent to remove 2 x *Syncarpia glomulifera* (Turpentine) located in the front yard of 4 Cardinal Ave, Beecroft.

Page Number 23**Item 5 EN5/09 GENERIC PLAN OF MANAGEMENT FOR
PLANNING DISTRICTS 5 & 7**

THAT:

1. The draft Generic Plan of Management for “community” land and Crown reserves in Districts 5 and 7 is placed on public exhibition for a minimum period of 42 days.
2. A further report is provided to Council following the public exhibition period and public hearing.

Page Number 29**Item 6 EN6/09 LICENCE OF CARPARKING SPACES AT 4
CHILVERS ROAD AND 29 SEFTON ROAD THORNLEIGH
TO NORTHRIDGE VINEYARD CHRISTIAN FELLOWSHIP
INCORPORATED****RECOMMENDATION**

THAT: Council grant Northridge Vineyard Christian Fellowship Incorporated a 3 year licence to use a maximum of 30 carparking spaces at 4 Chilvers Road and 29 Sefton Road Thornleigh on the following basis:

- a. A licence fee equal to the current market licence fee shall be payable in respect of the car parking spaces assessed in accordance with advice to be obtained from Council’s Consulting Valuer.
- b. The licence fee shall be reviewed annually in accordance with the movement in the Consumer Price Index.
- c. The car parking spaces shall only be used by members, guests and/or representatives of Northridge Vineyard Christian Fellowship Inc on weekends outside the hours of operation of Fluoro Pacific Pty Limited and SOS Removal Man Pty Ltd.

- d. Council shall not be responsible to the Northridge Vineyard Christian Fellowship Inc to prevent unauthorised persons from parking on or within the car parking area at any time.
- e. Northridge Vineyard Christian Fellowship Inc shall ensure that whilst using the car park no matter or thing is done that may prohibit, constrict or limit the use of pathways, driveways or other common areas of the premises.
- f. Northridge Vineyard Christian Fellowship Inc shall indemnify Council against all claims whilst using the car parking spaces in respect of public liability. Indemnity amount of \$10 million with such Policy to note Council as an interested party.
- g. Northridge Vineyard Christian Fellowship Inc shall bear the costs incurred in the preparation of the necessary licence documentation.

Page Number 33**Item 7 EN7/09 ADOPTION OF LOWER HAWKESBURY ESTUARY MANAGEMENT PLAN**

THAT

1. Council adopt The Lower Hawkesbury Estuary Management Plan
2. Council establish a Lower Estuary Management Committee to oversee the implementation of the Plan, and publically seek membership for such a committee.
3. Council determine the councillor representation on the Lower Hawkesbury Estuary Management Committee for the positions of Chairperson and Vice Chairperson.

PLANNING DIVISION*Nil***STRATEGY DIVISION****Page Number 40****Item 8 ST2/09 AMENDED TERMS OF REFERENCE FOR THE EMPLOYMENT & ECONOMIC DEVELOPMENT TASKFORCE**

THAT

1. the amendments be noted
2. the amended Terms of Reference, as attached, be adopted.

WORKS DIVISION

Page Number 42

Item 9 WK9/09 CAR SHARE SCHEME

THAT

1. Council call for expressions of interest from the three companies operating car share in Sydney to determine their ability and conditions and locations they would operate car share in the Hornsby Shire.
2. Car share schemes are to be taken into consideration when developing the DCP's for the areas proposed for Hornsby Shire Housing Strategy (2008-20016) and Employment Strategy

Page Number 46

**Item 10 WK10/09 "WELLUM BULLA" - HORNSBY SHIRE COUNCIL
MATERIALS HANDLING FACILITY MONITORING
COMMITTEE**

THAT Council note the attached Minutes of the Hornsby Shire Council Materials Handling Facility Monitoring Committee held on 19 February 2009.

Page Number 48

Item 11 WK11/09 CAR PARKING - HORNSBY TOWN CENTRE

THAT:

1. The report be received and noted.
2. Council further consider the need for additional car parking in the Hornsby Town Centre in the context of the car parking policy/strategy currently being prepared by the Traffic and Road Safety Branch.

SUPPLEMENTARY AGENDA

PUBLIC FORUM – NON AGENDA ITEMS

MAYOR'S NOTES

Page Number 55

Item 12 MN2/09 MAYOR'S NOTES FROM 1 TO 31 JANUARY 2009

QUESTION OF WHICH NOTICE HAS BEEN GIVEN

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**1 REPORT ON THE ATTENDANCE OF THE LOCAL STUDIES
COORDINATOR AT THE 12TH AUSTRALASIAN CONGRESS ON
GENEALOGY AND HERALDRY IN NEW ZEALAND FROM 16 TO 20
JANUARY 2009**

EXECUTIVE SUMMARY

At the 12 November 2008 Ordinary Meeting, Council approved the attendance of Hornsby Library's Local Studies Coordinator - Neil Chippendale at the 12th Australasian Congress on Genealogy and Heraldry in New Zealand from 16 to 20 January 2009.

The conference was attended by delegates from Australia, New Zealand, England, Ireland and the US. Online resources showcased included an interactive family history information sharing service provided by the Mormon Church, the 1911 census of the UK and a recently launched website called *findmypast.com*.

The Conference presented an opportunity for the Local Studies Coordinator to network with a range of publishers and providers of genealogical and related material and to attend a variety of seminars on the latest genealogical products and research methods.

The Local Studies Coordinator obtained great benefit from the conference and has begun to pass on newly acquired information to members of Council's Family History Volunteers group. He has also begun planning changes to Hornsby Library's web page on family history.

PURPOSE/OBJECTIVE

The purpose of this Report is to provide a summary of the papers presented at the 12th Australasian Congress on Genealogy and Heraldry, and to outline the benefits accruing to Council and the local community as a result of the participation of Hornsby Library's Local Studies Coordinator at the conference.

DISCUSSION

The conference was attended by 648 delegates from Australasia, USA, England and Ireland. Seminars with an international focus were presented by a variety of recognised experts from Australasia (Judy Webster and Cora Nunn), USA (Dan Poffenburger), the UK (Michael Gandy) and Ireland (John Grenham).

The conference also included speakers from the providers of all the major family history websites such as *familysearch.com* (Paul Smart), *ancestry.com* (Megan Smolenyak), *worldvitalrecords.com* (Paul Allen), *findmypast.com* and *1911.com* (Elaine Collins).

During the conference, the website *1911.com* was officially launched. This is the latest UK census to be released and is an important tool for all family historians with UK ancestry. The Local Studies Coordinator attended a hands-on seminar on searching the census online.

The work currently being done by the Mormon Church was also showcased. This included a Web 2.0 compliant upgrade of their online database *familysearch.com*. Family historians will now be able to post a family tree with full supporting documentation onto this website. Other family historians will then be able to comment on these family trees and upload any additional or conflicting data. The Church's recently expanded Family History Library, comprising 28,000 fully scanned books, was also launched at the conference. The Mormons hope eventually to scan the entire library, including many rare and out of print books with links to family history resources which are not readily available within Australia.

The Local Studies Co-ordinator attended a variety of seminars during the conference including *Irish Census Substitutes, Irish Placenames and Surnames, Finding the Fathers of Illegitimate Children, What's New at familysearch, Chasing Vanishing Relatives, Research in the 21st Century* and *The Origins Online Network*. As a consequence, he is planning an upgrade of the Hornsby Shire Council website which will contain links to sites and resources demonstrated at the conference. These include a downloadable "Pedigree Chart" and a variety of guides such as *Tracing Your 19th Century Ancestors*.

During the conference, discussions were also held with Gould Genealogy, Australia's leading provider of family history data and *findmypast.com*, and with Cathy Pilgrim - Director of the Australian Newspaper Digitisation Program. Consideration will be given to obtaining any relevant material which can be purchased within the available budget.

The information gathered at the conference will be passed on to Hornsby Library staff and members of Council's Family History Volunteers group. Relevant staff and community members will also be trained in searching newly released online resources. The Local Studies Coordinator plans to develop a specialist program on Irish family history. This is one of the most difficult areas of family history, as the majority of official records were destroyed in 1922.

Through networking at the conference, Neil Chippendale has also been able to make contact with prospective speakers such as Cora Nunn, one of Australia's leading family historians. A visit to the Library by any such well known experts could be expected to be very well received by local family historians.

Through participation in the Australasian Congress on Genealogy and Heraldry, the Local Studies Coordinator has further developed his skills and knowledge in family history. By passing on this knowledge to Council staff and community groups, he will achieve the main aim of his attendance at the conference – to further enhance and improve Hornsby Shire Library's family history service.

BUDGET

There are no budget implications.

POLICY

This Report has been prepared in accordance with the requirements of Council's Policy on Interstate and Overseas Travel.

CONSULTATION

No consultation was required.

TRIPLE BOTTOM LINE SUMMARY

The social element of Council's Triple Bottom Line framework was supported by the attendance of the Local Studies Coordinator at this conference. His participation also contributed towards Hornsby Library's fulfilment of the goals which form part of the strategic theme Working with the Community.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Library and Information Services – Ms Cheryl Etheridge. She can be contacted on 9847-6801.

RECOMMENDATION

THAT the contents of Executive Manager's Report No CC18/09 be received and noted.

CHERYL ETHERIDGE
Manager - Library & Information Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

There are no attachments for this report.

File Reference: F2004/05991
Document Number: D01098756

2 JANUARY 2009 INVESTMENT AND BORROWING REPORT

EXECUTIVE SUMMARY

Council is provided with a monthly report summarising current general economic conditions which may have an impact on investment returns. The report includes a schedule detailing Council's investments and borrowings and also highlights the monthly and year to date performance of the investments. It should be noted investments are generally held for the medium to long term.

This Report indicates that the total investment income for the period ending 31 January 2009 is \$1,171,000 compared to the year to date 2008/09 budgeted income of \$1,183,000. Of the year to date investment income earned, 43% relates to Section 94 funds held by Council and is required to be allocated to those funds.

PURPOSE/OBJECTIVE

The purpose of this Report is to advise Council of funds invested in accordance with Section 625 of the Local Government Act and details as required by Clause 212(1) of the Local Government (General) Regulation 2005 and Council's Investment Policy and Strategy.

DISCUSSION

Council's Investment Performance - January 2009

- The Term Deposits achieved an annualised return of 6.49% for the month compared to the benchmark of 4.25%; and a financial year to date return of 7.36% compared to the benchmark of 5.88%.
- NSW T-Corp Long Term Growth Facility achieved a marked to market return of -25.10% for the month compared to the benchmark of -27.55%; and a financial year to date return of -20.81% compared to the benchmark of -28.2%. This fund has a 70% allocation to growth assets. Short term performance is expected to be volatile and the investment should be viewed over the longer term.
- Direct investments in Collateralised Debt Obligations achieved an annualised return of 4.66% for the month compared to the benchmark of 4.82%. The financial year to date return at January is 7.54% compared to the benchmark of 7.02%.
- The Capital Guaranteed Notes achieved an annualised return of 0.26% for the month compared to the benchmark of 4.82%. The financial year to date at December is 1.22% compared to the benchmark of 7.02%. Due to poor performance over recent months the Capital Protected Notes coupons, with the exception of the Longreach PIU Fund, have not been accrued.
-

Floating Rate Notes (FRNs) are bonds that have a variable coupon equal to a money market reference rate. This FRN investment achieved an annualised return of 6.46% for the month compared to the benchmark of 4.82%; and a financial year to date return of 8.84% compared to the benchmark of 7.02%.

- For total investments, the annualised return for the month is 3.77% compared to the benchmark of 3.56%; and the year to date return after fees is 5.51% compared to the benchmark of 5.60%, a shortfall of 0.09%.

Economic/Financial Conditions

In an effort to buttress the Australian economy from a weak and rapidly deteriorating global economy, policy makers announced record amounts of stimulus in early February 2009. The Reserve Bank of Australia (RBA) slashed rates by a further 100 basis points and the Federal Government announced a \$42 billion stimulus plan. Both seek to avoid a prolonged, deep recession – nevertheless, the outlook remains uncertain with significant risks still lurking in the global economy.

Evidence of the bleak outlook for the global economy continues to be highlighted by the poor economic news:

- ▶▶ US economic growth shrank the most in the fourth quarter since 1982, as GDP declined by 3.8% (annual pace);
- ▶▶ The US Labour Department revealed that the nation lost more than 2.6 million jobs in 2008, the most since 1945, pushing the unemployment rate to 7.2% in December;
- ▶▶ According to the S&P/Case-Shiller index, home prices in 20 US cities declined by 18.2% in November from a year earlier, the fastest drop on record;
- ▶▶ US retail sales fell 0.1% in 2008 compared with the prior year, the first decrease in the Commerce Department's records dating back to 1992;
- ▶▶ Britain officially entering into a recession after statistics showed the economy shrank by 1.5% in the fourth quarter last year - the biggest drop since 1980 - following its fall of 0.6% in the third quarter. Britain's economy grew by just 0.7% in 2008, the weakest annual growth since 1992;
- ▶▶ UK unemployment rose at the second-fastest pace since 1991 in December. The number of people receiving unemployment benefits rose to 1.16 million, the highest level since January 2000.

To shore up confidence and stabilise financial markets, central banks continued their monetary policy easing. The US Federal Reserve (Fed) maintained interest rates between 0% and 0.25% and said it may keep it at "exceptionally low levels" for some time. The Bank of England cut interest rates by 0.5% to 1.5%, the lowest since the central bank was founded in 1694, while the European Central Bank cut its benchmark rate by 0.5% to 2.0%, matching a record low last experienced between 2003 and 2005.

Other

The price of crude oil continues to trade within a volatile range and fell below \$US33 mid-month, nearing five year lows, before finishing the month off at around \$US42 a barrel.

The Australian dollar retreated from US69 cents to around US65 cents, driven by the flight to quality (US government bonds) and the expectations of further interest rate cuts

Borrowings

In respect of borrowings, the weighted average interest rate payable on loans taken out from 1998 to 2008, based on the principal balances outstanding, is 6.55%. The loans taken out repay principal and interest over a 10 year period with a fixed interest rate. The Borrowings Schedule, as at 31 January 2009, is attached to this Report.

It is noted that a review is being undertaken to determine the potential of renegotiating part, or all, of the existing loan portfolio to take advantage of current low interest rates. The Finance and Strategy Task Force will continue to monitor the results of such review.

BUDGET

Total investment income for the six month period ended January 2009 was \$1,171,000. The budgeted income for this same period was \$1,183,000. Of the investment income, approximately 43% relates to Section 94 and is, therefore, restricted.

POLICY

All investments have been made in accordance with the Local Government Act, the Local Government (General) Regulation 2005 and Council's revised Investment Policy and Strategy. The Policy and Strategy were last revised by Council at the 11 April 2007 Ordinary Meeting.

Council's Investment Policy and Strategy is currently being reviewed by staff based on the release of a revised Ministerial Investment Order and the Federal Government's Bank Deposit Guarantee Scheme. An updated draft Investment Policy and Strategy will be considered by the Finance and Strategy Task Force at its March 2009 meeting prior to a report on the matter being prepared for Council's formal consideration at the April 2009 Ordinary Meeting.

CONSULTATION

Initial investments and reallocation of funds are made where appropriate, after consultation with Council's financial investment adviser and fund managers.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

Council's Investment Strategy does recognise, however, the desirability of "ethical" or "socially responsible" investments and has invested in such products in the last year. These are referenced in the Investment Portfolio in Attachment 1.

Council will continue to review new products, subject to funds availability and asset allocation and credit quality parameters contained in the Strategy.

RESPONSIBLE OFFICER

The officer responsible for the preparation of this Report is the Manager, Financial Services - Glen Magus. He can be contacted on 9847 6635.

RECOMMENDATION

THAT the contents of Executive Manager's Report No CC19/09 be received and noted.

GLEN MAGUS
Manager - Financial Services
Corporate and Community Division

GARY BENSLEY
Executive Manager
Corporate and Community Division

Attachments:

1. January 2009 Council Investment Report
2. HSC Borrowings Schedule As At 31 Jan 2009

File Reference: F2004/06987
Document Number: D01100627

3 STATUS REPORT - DEVELOPMENT OF A COMMUNITY SAFETY PLAN AND THE POTENTIAL IMPLEMENTATION OF CCTV IN THE HORNSBY MALL

EXECUTIVE SUMMARY

At the 11 February 2009 Meeting, Council considered Mayoral Minute No MM2/09 and requested that the Works and Corporate and Community Divisions prepare a joint report providing an update on the preparation of a Community Safety Plan as well as an assessment of a sponsorship proposal for the implementation of CCTV in the Hornsby Mall.

This Report provides the requested information as well as background relating to Council's previous consideration of these matters.

The main issue for Council to consider in respect of the potential implementation of CCTV in the Hornsby Mall is the State Government's Guidelines on this matter which require that implementation have regard to the findings and recommendations of a Community Safety Plan for the council area.

As Council's Community Safety Plan is still in its developmental stage and, on completion, may or may not recommend the use of CCTV as a response to community safety issues, a decision at this point on implementation of CCTV in the Hornsby Mall is premature.

The recommendation is that Council continue with the development of a Community Safety Plan for the Shire and, when finalised, further consider the sponsorship proposal for CCTV in the Hornsby Mall. In respect of the sponsorship proposal, the recommended course of action would allow further information to be sourced, clarification sought and a thorough assessment undertaken whilst the Community Safety Plan is finalised.

PURPOSE/OBJECTIVE

The purpose of this Report is to respond to the Mayoral Minute No MM2/09 by providing an update on the preparation of a Community Safety Plan as well as an initial assessment of a sponsorship proposal for the implementation of CCTV in the Hornsby Mall.

DISCUSSION

At the 11 February 2009 Ordinary Meeting, Council considered Mayoral Minute No MM2/09 which provided details and a copy of a sponsorship proposal for the implementation of CCTV in the Hornsby Mall. It was resolved that:

- 1. Council note the CCTV sponsorship proposal that was tabled at the Hornsby Mall Safety Committee Meeting on Tuesday, 10 February, 2009 by ORION Integration Pty Ltd.*
- 2. The Executive Manager, Corporate and Community and the Executive Manager, Works present a joint report at the March Ordinary Meeting providing:*

- a) *An update on the preparation of a Community Safety Plan.*
- b) *An assessment of the proposal presented to the Hornsby Mall Safety Committee on Tuesday, 10 February, 2009 by ORION Integration Pty Ltd.*
- c) *Details of any potential costs that may be incurred by Council.*

In responding to such resolution, it is noted that since 2006, Council has considered a number of reports dealing with the development of a Community Safety Plan and/or the proposed installation of CCTV into the Hornsby Mall. Those reports are listed below for information:

- Report No CC95/06 - Update on Hornsby Mall Strategic Management Plan and Other Hornsby Mall Matters
- Report No CC21/07 - Status Report CCTV Proposal for Hornsby Mall
- Mayoral Minute No MM14/07 – CCTV in Hornsby Mall
- Report No CC06/08 - Status Report CCTV Proposal for Hornsby Mall
- Report No CC96/08 – Community Safety Plan

The remainder of this Report provides the update and assessment required by the resolution in respect of Mayoral Minute No MM2/09.

COMMUNITY SAFETY PLAN

Prior to its 11 February 2009 resolution, Council had last discussed the development of a Community Safety Plan at its November 2008 Ordinary Meeting when it resolved in part that:

2. *A further \$15,000 be allocated in the September 2008 quarterly review of the 2008/09 Budget, such that Council can proceed with the development of a comprehensive Community Safety Plan as discussed in Report No CC96/08, with updates in respect of the Plan's development being provided on an ongoing basis to meetings of the Community, Cultural and Recreation Facilities Task Force.*

As a consequence of that resolution, a consultant has been engaged to develop the Community Safety Plan and they have commenced work on the project. The Community, Cultural and Recreation Facilities Task Force has been informed of progress on the project at its monthly meetings.

It is noted that the consultant visited Council in the week commencing 2 March 2009 and met with relevant managers, staff and available Councillors. Councillors who were unavailable to meet with the consultant at that time will be provided with an opportunity for input at some later occasion.

The consultant is due to meet with relevant representative groups across the Shire including the Hornsby Mall Safety Committee; Hornsby Shire Seniors Advisory Committee; Hornsby Kuring-gai Youth Network; Community Drug Action Team; Hornsby Kuring-gai Domestic Violence Network; Hornsby Liquor Accord; Hornsby Police; Hornsby Westfield; and the Hornsby and District Chamber of Commerce.

Following the meetings, it is anticipated that a draft Plan will be presented for the Task Force's consideration in June/July 2009 prior to being submitted for Council's endorsement such that the document can be placed on public exhibition and comments sought.

It is expected that, following the public exhibition of the draft Plan and consideration of any comments received, Council will adopt a final Plan in September 2009.

CCTV IN THE HORNSBY MALL

Background

Since December 2006, Council has considered various Reports and a Mayoral Minute dealing with the potential installation of CCTV in the Hornsby Mall and the associated funding/sponsorship proposal to supply the equipment.

To assist Council in its further deliberations, a summary of actions taken to date is set out below:

- At the December 2006 Ordinary Meeting, Council considered Report No CC95/06 which provided details of a submission received from the Hornsby Mall Safety Accord concerning a funding/sponsorship proposal to supply CCTV equipment for use in the Hornsby Mall. This Report outlined a number of issues that would need further investigation/consideration if Council was supportive of moving forward on the proposal. Issues identified included the necessity to form a Community Safety Committee; develop a Community Safety Plan; the absence of a dedicated budget allocation; effectiveness of CCTV in addressing safety issues; timing of the proposal in view of other community safety initiatives currently being implemented in the Hornsby Mall; ongoing maintenance costs of a CCTV system; and the requirements of Council's Sponsorship Policy. Following its consideration of the Report, Council resolved to proceed with further investigations regarding the implementation of CCTV in the Hornsby Mall.
- At the March 2007 Ordinary Meeting, Council considered Report No CC21/07 which outlined the results of further investigations undertaken by Council officers. Contained within this report was information and relevant Council officer comments in respect of a document issued by the NSW Attorney General's office titled, "*NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Spaces*" (the Guidelines). This document provides a policy framework and a set of underlying principles to assist government agencies considering the installation of CCTV as a possible response to local community safety issues. The document also contains a set of steps that should be followed by councils in their consideration of the introduction of CCTV surveillance in a public space. The steps outlined below generally run in chronological order, however, it is indicated within the document some steps may be undertaken concurrently.

Step 1 - Identify that there is a crime problem which may be addressed by the introduction of CCTV

Step 2 - Establish a Community Safety Committee (note that at a later stage of the process it may be appropriate to establish a sub-committee specifically to deal with the introduction and operation of CCTV)

- Step 3** - Conduct a Crime Assessment to identify more accurately what crime problems are occurring, where and when
- Step 4** - Consult with the community, including local businesses and other specific groups, especially on matters relating to privacy
- Step 5** - Develop a Crime Prevention or Community Safety Plan which includes the operation of a CCTV scheme
- Step 6** - Set Objectives for the CCTV Scheme and develop evaluation mechanisms
- Step 7** - Determine the roles and responsibilities of the key players, especially the local authority and the police
- Step 8** - Develop a Code of Practice to set the standards for and guide the operation of the Scheme
- Step 9** - Develop and implement Standard Operating Procedures
- Step 10** - Develop and implement ongoing monitoring and auditing mechanisms for the scheme
- Step 11** - Determine the technical requirements of the scheme
- Step 12** - Develop and implement a complaints mechanism
- Step 13** - Develop information strategies to inform the public about the operation of the scheme
- Step 14** - Install and trial the CCTV scheme
- Step 15** - Conduct an evaluation of the trial and its outcomes and disseminate the results to relevant parties
- Step 16** - Review the trial and its evaluation to determine the need for the CCTV scheme to be continued.

- The Conclusion provided by Council officers in Report No CC21/07 is repeated below for the information of Council:

In respect of the specific funding proposal/sponsorship for the installation of CCTV in the Hornsby Mall, it is appropriate that further consideration occur when the requested technical and financial details are received.

In respect of the issue of CCTV generally, it is recognised that it is Council's role to provide a safe and welcoming environment in the Hornsby Mall and to contribute in relevant ways to creating and maintaining such an environment. Given an appropriate level of acceptance by the wider community, the implementation of CCTV in the Mall is potentially one method of assisting in this process, particularly with regard to the management of crime "hot spots" as identified by the Police.

There are, however, a number of important issues which Council must consider before making any final decision on the matter. These include:

- *As law and order is essentially a State Government responsibility, Council should seriously consider whether it wants to become involved in an arrangement whereby it is effectively supporting cost shifting to Council from the State of some of the law and order responsibilities in the Hornsby CBD. In this regard, Council should question whether it is appropriate to be responsible for monitoring and managing the footage obtained from the CCTV surveillance when the exclusive user will probably be the Police.*
- *A need to seek clarification from the Hornsby Police of their involvement in and administration of the recently announced Community Safety Precinct Committees, including any proposal for the development of a general Community Safety Plan for Hornsby. (N.B. The Community Safety Precinct Committee detailed in the Police Minister's News Release appears to have essentially the same role as the Community Safety Committee referred to in the CCTV Guidelines - why therefore would Council wish to create and administer its own Community Safety committee? If it did, it may then be necessary for Council to invest in a relevant position with specific skills e.g. a Community Safety Officer?*
- *A recognition that preliminary investigations to date regarding the installation of CCTV have been carried out using existing resources. If there is a decision to proceed towards the implementation of CCTV in the Hornsby Mall it should be noted that Council does not currently have the resource nor qualified personnel to carry out ongoing participation in the operation of CCTV equipment. The operation, repair, and maintenance of CCTV equipment requires specific technical skills - none of which are currently held by existing Council officers.*
- *That, even allowing for the fact that the capital cost of the equipment may be met by an external body, Council should have regard to the longer term issues and question whether it would have the resources to maintain and manage the equipment into the future, including future replacement or upgrade of the equipment.*
- *That the Security Industries Amendment Act may impact significantly on any personnel carrying out security related duties. It is understood that anyone associated with the monitoring, reviewing or storing of the CCTV recordings is required under the Act to hold a Security Licence and, depending on the specific tasks undertaken, this would at times necessitate the holding of a Master Security Licence. If Council officers were to be involved in this regard, either additional, specifically trained personnel would need to be engaged, or significant training and suitability assessments undertaken for existing staff.*
- *A monitor of the effectiveness of the soon to be commenced grant funded project "Including and Involving Young People in Public Malls" and its impact on crime and safety within the Hornsby Mall.*

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Following Council's consideration of Report No CC21/07, it was resolved that:

1. *The contents of Executive Manager's Report CC21/07 be received and noted.*
 2. *Council write to the Hornsby Police seeking clarification of their involvement in and administration of a Community Safety Precinct Committee, including any proposal for the development of a Community Safety Plan for Hornsby.*
 3. *Council officers continue to seek the outstanding information regarding the funding proposal/sponsorship arrangement for CCTV in the Hornsby Mall.*
 4. *Following the completion and responses received in respect of points 2 and 3 above, a further Report be prepared for Council's consideration.*
- Mayoral Minute No MM14/07 - CCTV in Hornsby Mall - was subsequently considered by Council at the 7 November 2007 Planning Meeting. The Mayoral Minute outlined the progress on earlier Council resolutions concerning this matter. It included comments made by the Superintendent of Kuring-gai Local Area Command Police (at the November 2007 Hornsby Mall Safety Group Meeting) that the Police would complete Steps 1 to 12 (excluding step 11) of the Guidelines, and believed that they had already completed Steps 1, 2 and 3. It was noted in the Mayoral Minute that whilst actions in respect of the resolutions of Report No CC21/07 had been undertaken by Council officers following the March 2007 Council Meeting, no further information had been received at that point from the Police or in respect of the funding proposal/sponsorship from the Hornsby Mall Safety Accord. Having regard to the explanatory notes provided in respect of Step 4 (Community Consultation), Council resolved that Step 4 should be undertaken in respect of the potential installation of CCTV in the Hornsby Mall as well as in Station Street, Hornsby.
 - In line with Council's resolution at the November 2007 Ordinary Meeting, an invitation seeking public comment on the potential installation of CCTV in the Hornsby Mall and Station Street was undertaken. No submissions were received.
 - At the February 2008 Ordinary Meeting Council considered Report No CC06/08 which provided a further update on the status of the outstanding resolutions from Council's consideration of Report No CC21/07 in March 2007. It included comments received from the Superintendent of Kuring-gai Local Area Command Police indicating that whilst willing to be involved in the development of a Community Safety Plan (Step 5 of the Guidelines outlined above), the Command does not have the necessary resources required or specialist skills to undertake the completion of the Plan and considers that the development of a Community Safety Plan should rest with Council. In addition, it was the Superintendent's understanding that the development of a Community Safety Plan is outside the terms of reference and resources of their newly formed Community Safety Precinct Committee. The Report also noted despite further requests by Council officers, the requested information concerning the funding and sponsorship proposal to supply CCTV equipment for use the Hornsby Mall, had not been received. Council officers also provided information within the Report outlining issues that would need consideration if Council was to develop a Community Safety Plan.
 -

Although Council has been awaiting a formal sponsorship proposal since December 2006, it was only in June 2008 that a brief technical specification was provided to Council officers that outlined the equipment that would form part of the sponsorship proposal to supply CCTV in the Hornsby Mall. The specification proposed the installation of 42 external mounted hard-wired cameras throughout the Mall with images to be recorded on four digital video recorders.

- While a review of the specification was undertaken by officers of the Works Division at the time, no further information on the overall funding/sponsorship proposal was forthcoming until receipt of the revised proposal at the 10 February 2009 Hornsby Mall Safety Group meeting. The revised proposal, which is significantly different to the original, is for four cameras with a wireless link to the Hornsby Police Station. It is discussed below.

ORION CCTV Proposal – Assessment by the Works Division

In its Guidelines for the Establishment and Implementation of CCTV in Public Places, the NSW Government sets out nine Principles by which CCTV proposals in public places need to be assessed. They are:

1. Scheme Ownership
2. Community Consultation
3. Clear Objectives for the scheme
4. Integrated Approach to Crime Prevention
5. Police Involvement
6. Managing and Operating the Scheme
7. Technical Evaluation
8. Complaint Handling
9. Monitoring and Auditing Operations

The following comments have been provided by relevant staff in respect of Principle 7 - Technical Evaluation of the ORION proposal:

- **Camera type and layout** - Council has received two CCTV proposals within the last 12 months. These proposals vary in respect of the number of cameras and the layout. This highlights the need for a detailed review of the technology to be provided with this or any other proposal as the technology in this area is currently developing at a frantic pace. It is imperative that the camera resolution, mode of operation (i.e. **Pan Tilt and Zoom** versus fixed) and remote operation capabilities of the cameras as well as their locations and layout are identified as providing an optimal technical solution that meets the criteria to be determined by Council. The current proposal is silent on the criteria to be met.
- **Data transmission and storage** - The current proposal relies on wireless technology. An alternative scheme presented to Council in June 2008 primarily relies on cable for data transmission. The benefits and security of these technologies or a combination of both require further detailed evaluation. The ownership, storage, security and management of data are also issues that have not been fully considered in the proposal.
- **Costing details** - No costing has been provided. The costs for cameras, wireless transmitters and receivers, cabling and hard drives or other storage and monitor types and sizes need to be presented and evaluated. The costing for the installation

and maintenance of cable versus wireless transmission of data also needs to be further explored.

- **Scheme Expandability/Compatibility** - Given that the full extent of the area requiring surveillance has not yet been determined by Council, the expandability of the proposal or whether it can be interfaced with other schemes, will need to be evaluated.
- **Monitoring Mode** - The proposal assumes the only monitoring will be by the Police at the Police station. This monitoring may not be acceptable and is inconsistent with the requirements detailed in Principle 5 of the Guidelines. An overall protocol, yet to be determined by Council, must be in place to determine the mode of monitoring best suited to the crime problems that are identified within the various precincts in the Shire. If further monitoring stations are required, it is unsure as to whether such stations can be easily incorporated into the proposal provided.

In summary, Council needs to independently evaluate the technology proposed as it must give an optimal and flexible basis for implementing a scheme that will need to meet high community expectations for its performance. To fully evaluate the proposal technically, the criteria based on investigations that Council is currently undertaking are essential.

In respect of the other Principles referred to above, the following comments are provided:

1. Ownership

Ownership of the scheme must be clear and, as the areas under surveillance are public spaces, this must lie with Council. Council has to be the owner of the scheme and how this is to be achieved needs to be clearly set out. The current proposal does not address this issue satisfactorily.

2. Community Consultation

Council has not yet completed its community consultation in respect of the development of a Community Safety Plan. The need for, and extent, of surveillance required of Council's public open spaces will benefit from an analysis of such consultation. It is noted that Council did seek public comment on the potential installation of CCTV in the Hornsby Mall and Station Street, Hornsby and no submissions were received.

3. Clear Objective

These need to be defined so criteria for the design of a CCTV scheme and its operational mode can be formulated. Clear objectives covering the design, implementation and management of the proposal must be set out. This will require further input as the Community Safety Plan is developed.

4. Integrated Approach to Crime Prevention

CCTV is generally part of an overall approach to crime prevention. As Council has not yet finished this aspect of its own investigations, the proposal does not comply with this Principle at present. Investigations into crime extent and the measures required to combat this are a necessary precursor to implementing a CCTV scheme.

5. Police Involvement

The Guidelines above are very clear that the Police should not fund or operate public area CCTV schemes. Close involvement is, however, necessary. The current proposal appears to give Police the sole operating role. This does not comply with this Principle and further investigation into how the surveillance is to be carried out and managed is required. No details on this important issue have been provided in the proposal.

6. Managing and Operating the Scheme

Protocols and procedures to ensure accountability must be part of the proposal. Little or no mention of how this is to occur is made in the submission. Significant work to determine a satisfactory management structure and operating mode will be required.

7. Evaluation

The technical capability of the scheme must be evaluated against clear criteria which result from Principles 2, 3 and 4 above. As these have not been completed, no detailed evaluation of this scheme's ability to meet these objectives can be currently made. Council must ensure the technology provided meets its objectives for such a scheme (e.g. are the cameras and layout optimal for the Hornsby Mall site?); minimises both short and long term operating costs (no costs, particularly maintenance costs, have been provided in the proposal); is expandable and Council is not locked into a proprietary scheme that no one else supports; and is able to provide adequate and secure storage, access to and distribution of the surveillance data.

8. Complaints

Protocols for public accountability of the proposal must be in place. Council has not yet developed these protocols and their consideration will be an essential part of implementing a public space CCTV scheme.

9. Monitoring and Auditing

Audit procedures to account for the proposal's operations need to be in place or be in the process of being developed. Compliance with policies and procedures is an essential aspect that ensures probity issues are adequately covered. Again, as Council has not developed these, the proposal must be evaluated further once they have been completed.

Generally, the current proposal does not adequately address the nine Principles set out in the Guidelines that are essential for the satisfactory implementation of any CCTV scheme in a public place. This will need to occur as the proposal is further developed.

MOVING FORWARD

A key issue when considering the installation of CCTV in a public place is that it forms part of an overall approach to crime prevention within the Shire. Whilst Council is progressing the development of a Community Safety Plan for Hornsby Shire, it may be inappropriate to commit to any CCTV proposal until the Plan has been completed and relevant crime prevention strategies identified for the whole of the Shire. The acceptance of the current CCTV proposal prior to the completion of the Plan would be pre-empting the outcomes from

the Plan and could potentially commit Council to a course of action that may not be recommended through that Plan.

The revised CCTV proposal has been provided to Council on the basis that in return for the provision, installation and maintenance of the CCTV system in Hornsby Mall for two years, certain sponsorship rights will be made available to ORION Integration Pty Ltd. Council's Sponsorship Policy (a copy of which is attached) contains a number of Policy Statements that should be considered to ensure that any sponsorship proposal is effectively utilised and appropriate probity considerations have been undertaken. In reviewing the revised proposal it is apparent that certain details contained within the proposal require clarification to ensure that it fully satisfies all of the Policy Statements.

Whilst there are a number of important issues associated with the proposal that require further consideration, Council should be aware that delays in assessing or accepting the proposal may lead to ORION either amending or withdrawing the sponsorship offer.

Officers are of the view that as Council's Community Safety Plan is still in its developmental stage and, on completion, may or may not recommend the use of CCTV as a response to community safety concerns, a decision at this point on implementation of CCTV in the Hornsby Mall is premature.

It is recommended, therefore, that Council continue with the development of a Community Safety Plan for the Shire and, when finalised, further consider the sponsorship proposal for CCTV in the Hornsby Mall. In respect of the sponsorship proposal, further information should be sourced, clarification sought and a thorough technical assessment undertaken whilst the Community Safety Plan is finalised. This may include consultation with groups such as the Hornsby Mall Safety Group and the Community Safety Precinct Committee.

BUDGET

There are no current budgetary implications associated with this Report as the production of a Community Safety Plan is included in the revised 2008/09 Budget.

POLICY

Council's Policy on Involvement with Sponsorship has relevance to this Report. Although not a Council Policy, the *"NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Spaces"* also is an important reference document.

CONSULTATION

There has been consultation with officers of the Works Division and Corporate and Community Division as well as the General Manager in the preparation of this Report.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this Report does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are the Executive Manager, Corporate and Community Division - Mr Gary Bensley and the Executive Manager, Works Division – Mr Maxwell Woodward. They can be contacted on 9847-6605 and 9847-6665 respectively.

RECOMMENDATION

THAT:

1. The contents of Executive Manager's Report No CC21/09 be received and noted.
2. A copy of Report No CC21/09 be provided to the Hornsby Mall Safety Group and the Community Safety Precinct Committee for comment in respect of the development of objectives for a possible CCTV system within the Hornsby Mall which will assist in undertaking Step 6 of the CCTV Guidelines.
3. Council continue with the development of a Community Safety Plan in accordance with the framework and timelines detailed in Report No CC21/09.
4. Upon completion of the Community Safety Plan, Council further consider the sponsorship proposal and technical merits of the proposed CCTV installation in the Hornsby Mall, taking into account any further information about the proposal which becomes available.

GARY BENSLEY
Executive Manager
Corporate and Community Division

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Policy - Sponsorship - Council s Involvement

File Reference: F2005/00389
Document Number: D01104632

4 TREE REMOVAL AT 4 CARDINAL AVENUE, BEECROFT

EXECUTIVE SUMMARY

This report recommends that Council refuse the application for consent to remove two *Syncarpia glomulifera* (Turpentine) trees located at the front of the property at 4 Cardinal Ave, Beecroft. The applicant has appealed previous decisions by the Parks and Landscape Team and requested that the matter be referred to an Ordinary Meeting of Council. The Parks and Landscape Team has approved the removal of one *eucalyptus pilularis* (blackbutt) at the property and this approval has been forwarded to the applicant.

PURPOSE/OBJECTIVE

The owner of the property seeks Council approval to remove the remaining two turpentine trees.

DISCUSSION

An initial application was lodged on 21 November 2008, requesting permission to remove the subject trees. Reasons given for the request were falling branches which had penetrated the roof and heightened fears for human safety. An inspection was undertaken by Council's Tree Management Officer who refused the application, finding the trees to be sound and healthy. Approval was granted to remove the large co-dominant leader on the blackbutt which extends over the dwelling. The recent and previous branch drop has come from this tree.

On 15 December 2008 the applicants requested a second inspection be undertaken on the trees. Additional reasons put forward for the removal of the trees were that more branches were failing and the pruning of branches would not solve their problem. A second inspection was carried out by a Tree Management Officer who was not involved in the first inspection. Permission to remove the three trees was again refused.

On 28 January 2008, the applicant requested that the matter be put to the next available meeting. A letter to the Mayor and an engineer's report has been submitted by the applicant to support the removal of the trees.

The subject trees are as follow:

Tree 1 - is a *syncarpia glomulifera* (turpentine) approximately 17 metres in height, in good condition. The tree is located approximately five metres from the residence. There is no evidence of major branch loss. Turpentine is indigenous to Hornsby Shire, located in an Ecological Endangered Community (EEC), and this tree has grown in a part of the property which can sustain a tree of this size. The tree is growing on a slight angle across the front of the property, though the lean is not likely to cause instability.

Tree 2 – is a *eucalyptus pilularis* (blackbutt) approximately 20–23 metres in height, in good condition. The tree is located approximately four metres from the residence at the front of the property. There is evidence of previous and recent branch drop.

There is a moderate bark inclusion in the junction of the co-dominant trunks at approximately six metres, providing a possible weak point which could lead to one or both trunks breaking. At the time of the initial inspection, Council staff recommended the removal of the rear trunk which extends over the dwelling and any deadwood. As this tree has recently lost another limb (on 25 January 2009) it has been decided that there is now sufficient reason to remove the tree due to a continuing history of branch drop. **A permit under delegated authority has been sent to the applicant permitting the removal of the blackbutt located at the front of the property.**

Tree 3 - is a *syncarpia glomulifera* (turpentine) approximately 17 metres in height, in good condition. The tree is located approximately 5 metres from the residence. There is no evidence of major branch loss. Turpentine is indigenous to Hornsby Shire, located in an Ecological Endangered Community (EEC), and this tree has grown in a part of the property which can sustain a tree of this size. The tree should be retained, though removal of the lowest limb and any deadwood is recommended.

As the above-mentioned trees are located within the centre of a corridor of 14 turpentine trees, advice was obtained from Council's Bushland and Biodiversity Team. The advice states that maintaining the turpentine trees will provide habitat structure, function and allow the important movement of a variety of wildlife amongst an urbanised landscape. Retaining the connected tree canopy as a wildlife corridor assists with the important exchange of movement of genetic material via cross pollination and seed dispersal via vectors (i.e. bird, bat and invertebrate species).

It takes a considerable amount of time to recreate the intact structural habitat that currently remains as a result of the existing turpentine trees which are of local genetic provenance.

The canopy structure of turpentine are less open than most eucalypt species and therefore provide important refuge, shelter and nesting habitat for native birds and mammals.

It is a recognised scientific fact that the wider the corridor the better for wildlife as core habitat is more likely to be present. Narrow corridors are vulnerable to disturbance due to the high "edge:area ratio" and exposure to edge effects promoting weed invasion and habitat modification. Core habitat can be buffered by supplementary locally indigenous species in order to reduce edge effects.

Council's Tree Management Plan, Section 3.3 states in part:

"approval will generally not be given for tree pruning or removal where there are unsubstantiated fears about tree health and condition, including the natural development of minor deadwood throughout the canopy of a tree or concerns relating to the natural growth habit of the tree in terms of height".

The submitted engineer's report contained no evidence to support the removal of the trees apart from stating that fallen tree branches had damaged the roof. Permission has been granted to remove the blackbutt which overhangs the building. There is no suggestion either by the applicant or in the consultant's report that the trees have caused structural damage to the residence.

Council officers have assessed the two turpentine to be in good health, of very attractive appearance and worthy of preservation. In Council's assessment there is currently insufficient evidence to justify removal. However, should the trees cause damage, for example as a result of a storm, Council could be liable, especially if this occurred in the near

future following refusal of consent. This is always the situation which must be considered when assessing trees. Council's guidelines allow a tree to be removed in the case of safety concerns if there are signs that the tree is diseased, dying or dangerous. None of these signs were evident.

All tree assessments were made by visual external inspections. Internal, underground or aerial investigations were not undertaken.

Tree details

Tree 1: Located at the front of the property (Second from driveway)
Species: *Syncarpia glomulifera*
Common Name: Turpentine
Height: 17 metres
Age Class: Mature

Tree 2: **Approval granted to remove tree.**
Located at the front of the property (Closest to house)
Species: *Eucalyptus pilularis*
Common Name: Blackbutt
Height: 20 - 23 metres
Age Class: Mature

Tree 3: Located at the front of the property (Closest to driveway)
Species: *Syncarpia glomulifera*
Common Name: Turpentine
Height: 17 metres
Age Class: Mature

BUDGET

There are no budgetary implications arising from this decision.

POLICY

There are no policy implications arising from this decision.

CONSULTATION

There is no requirement for consultation in this matter.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line attempts to improve decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

The responsible officer is Mr Doug Foster, Tree Management Officer, Parks and Landscape, telephone 9847 6546, hours 9am to 5pm, Monday to Friday.

RECOMMENDATION

THAT

1. Council refuse consent to remove 2 x *Syncarpia glomulifera* (Turpentine) located in the front yard of 4 Cardinal Ave, Beecroft.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Engineer's Report
2. Photo 1
3. Photo 2
4. Photo 3
5. Photo 4

File Reference: TA/1206/2008/A
Document Number: D01092599

5 GENERIC PLAN OF MANAGEMENT FOR PLANNING DISTRICTS 5 & 7

EXECUTIVE SUMMARY

Council's approval is sought to publicly exhibit the draft "Generic Plan of Management (POM) for Community Land and Crown Reserves for Planning Districts 5 and 7", including the suburbs of Berowra, Berowra Heights, Berowra Waters, Cowan, Brooklyn, Dangar Island and Milsons Passage. The POM for Planning Districts 5 and 7 is Attachments 1 to 7 of this Report.

PURPOSE/OBJECTIVE

The purpose of this Report is to gain endorsement for proceeding to formal Public Exhibition of the draft Generic POM for Community Land and Crown Reserves in Districts 5 and 7.

DISCUSSION

Council owns many parcels of public land and manages a quantity of Crown land that has been reserved for public recreation or similar purpose. As required under the Local Government Act (1993) (the Act), all of the Council-owned land in this category must be classified as "community" land or "operational" land. Community land cannot be disposed of or sold and Council must prepare a POM to cover such land, in accordance with the provisions of the Act. The Act also makes detailed provision for the preparation and exhibition of a POM and the holding of a public hearing in respect of the lands prior to adoption.

Progress with POMs

The draft POM for Districts 5 and 7 is the last generic POM to be prepared in the series of plans covering the nine planning districts in the Shire. A POM for District 1 and District 2 were adopted in 2004, with POMs for Districts 8, 3 and 9 adopted in 2005 and for Districts 4 and 6 in 2006.

Prior to this, POMs (adopted in 1996) were organised according to land categories: Sportsground, Park and Natural Area. The current organisation into planning districts allows more information about specific parks to be included in manageable-sized volumes. The former POMs have now been superseded.

In accordance with the Local Government Amendment (Community Land Management) Act (1998) and amendments adopted in 1999, the POM must define community land in the categories of "Park, Sportsground, General Community Use, Area of Cultural Significance and/or Natural Area" and further, must provide sub-categorisation for areas containing the defining geographical features of "Bushland, Wetland, Escarpment, Watercourse and / or Foreshore".

Together with more detailed Action and Policy sections, improved levels of recording of relevant asset information and photographs and aerial maps describing categorisation relevant to all sites, the POMs are more comprehensive than those adopted in 1996.

Where additional categorisations are made (due to amendments to the Act since 1996) or where categorisations are proposed for change, a period of public exhibition and the holding of a public hearing are required by the Act.

POMs and Asset Management

Although POMs are only required for community land owned by Council, Crown land with Council as trustee and/or with care, control and management are also included for the purpose of this report. This is considered a practical means of recording Council's responsibilities and activities in respect of these Crown land sites and has not only satisfied the requirements of the Act in respect of Council-owned lands but has also led to the creation of documents which are useful to the public as well as for Council's internal operations in respect of Council-owned and Crown land under Council's care.

The Parks and Landscape Team, Bushland and Biodiversity Team and the Asset Management Team at Council have been involved in the production of the generic POM for Districts 5 and 7, as for all other district plans completed prior to this.

Part II of the POM contains a generic action plan for the management of community land including levels of service, management statements, actions and measures for review of environmental impacts associated with land use, and establish performance measures to be reviewed on an ongoing basis.

Part III of the document, containing photos and aerial maps of each reserve, is more specific and provides asset information including a record of facilities provided, a brief outline of the cultural and natural history of the site, qualitative and quantitative assessment of the site's condition, and expenditure information for each park or reserve.

Re-categorisation of Community Land, Public Exhibition and Public Hearing

Several parks and reserves in this POM must be re-categorised in order to comply with the provisions of the Act as amended in 1998 and 1999. In particular, parks and reserves containing those newly adopted geographical sub-categories of "Bushland, Wetland, Escarpment, Watercourse and/or Foreshore" are necessarily re-categorised. Where re-categorisation occurs in respect of community land through a POM, the Act requires a public hearing be held by an independent chairperson who is not an officer of Council.

It is not necessary to prepare POMs for operational land, such as the land upon which the Council Chambers, Hornsby Central Library or Thornleigh Depot are situated. Operational land is not included in the POMs, however, in some instances, the POM will suggest that a reserve is considered for reclassification as "operational" land in the future. This only occurs in instances where a reserve is considered to offer limited value to the community due to such factors as its location, size, accessibility or condition.

The adoption of the POM does not enact suggested reclassifications of land although it is a part of the process. This can only occur on a case-by-case basis for each subject park and through a separate process involving formal consultation, public hearing, rezoning, and amendment and re-exhibition of the POM.

POMs are exhibited to enable any member of the general public to provide input into policy regarding any given "community" land site. The Department of Lands, representing the Crown, is also invited to review each draft POM.

Following the close of the exhibition period, an independent Chairperson will be appointed to conduct the public hearing and prepare a comprehensive report, summarising submissions. The report would usually accompany a recommendation for adoption at a later time, depending on the outcomes of the exhibition and public hearing.

The draft POM for Districts 5 and 7 is ready to be placed on public exhibition.

Kangaroo Point

The POM deals with a parcel of land known as Kangaroo Point, Brooklyn at pages 202-207. The Kangaroo Point Community Masterplan (herein referred to as the Masterplan) prepared by GHD was adopted by Council in March 2005. It contains principles for the future use and development of the land, including the possible replacement of a disused food outlet building with a new building with a restaurant/food outlet function on a similar footprint area to that of the old building. At Council's Planning Meeting of 4 October 2006, Council resolved to adopt a revised categorisation map based on that contained in the adopted Masterplan. The adopted categorisation map forms Attachment 8 to this Report, showing indicative land categorisation boundaries. The Masterplan and adopted categorisations have no legal standing. The categorisations can only be granted by adoption of the Plan of Management in accordance with the provisions of the Local Government Act.

Categories under the Local Government Act are important because the Act provides very prescriptive core objectives for each category. Development and use of Community Land must be consistent with these core objectives. Some of the land at Kangaroo Point is categorised as "Area of Cultural Significance". This categorisation is a limiting category due to its core objectives. Other categories include "Park" and "General Community Use". The land where the replacement building would be situated is "General Community Use", a much more flexible category.

The Manager, Property Development has advised that, due to the cost of redeveloping the building on the site and the business requirements of generating income to offset the capital investment, it may be more suitable from a business potential viewpoint if opportunities to establish a restaurant could be more, rather than less, flexible (see Memo at Attachment 9). Accepting this advice, the Categorisation Map in the POM shows the area of the "General Community Use" expanded slightly to the north and east compared to that shown in the map at Attachment 8.

BUDGET

The Action Plans included in the POMs do not have a specific cost value attached to each action. Most actions are ongoing activities that Council undertakes within existing operational budgets. The remaining actions have been prioritised as short, medium and long-term activities which are dependent upon the availability of funds from time to time.

POLICY

The POMs are detailed management policy documents. Policies are contained throughout and relate to the social, cultural, environmental and economic management of Council-owned parks and reserves and Crown land reserves under Council's care control and management.

CONSULTATION

The generic POM was drafted by the Parks and Landscape Team and the Bushland and Biodiversity Team. Other areas of Council that contributed include Community Services, Asset Services and the Administration Services Branches.

The POM will be advertised in the local press and on Council's website. The minimum period of public exhibition will be for the statutory period of 28 days plus an additional 14 days to allow for public submissions. Copies will be available for inspection or purchase at Council offices and for inspection at all Hornsby Shire Council Libraries. The POM will be distributed for comment throughout all relevant departments within Hornsby Council. Public notices inviting the making of submissions and attendance for the making of submissions at the public hearing will also be placed on Council's website and in the local press.

All comments from the public and Council officers will be considered and recommendations for amendments to the POM will be incorporated where appropriate in a report to Council following the public exhibition period. A report from the public hearing prepared by the independent consultant/chair of the hearing will be provided and may also give rise to amendments. The Local Government Act provides that if there are significant amendments to any POM after public exhibition, the amended POM must be re-exhibited without a further public hearing being required.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line attempts to improve Council decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

Working with our Community

The forums of public exhibition through local newspapers and invitation to attend the public hearing and make submissions are the avenues for informing and enabling community input.

Conserving our natural environment

The POMs are instrumental documents in defining management practice in respect of the environmental qualities and condition of all parks and reserves under Council's care control and management, and establishing parameters for performance assessment on an ongoing basis. The adopted categorisations within the POMs reflect the intrinsic values of the natural environment.

Contributing to community development through sustainable facilities and services

An outcome of the development of the Generic District POMs is a better understanding of the needs of the community and the management needs of our parks and reserves on a Shire-wide basis. The POM sets qualitative and quantitative objectives for and contributes to improved management of these assets in the future. Each POM becomes an easily-referenced document for Council staff when conducting research in respect of any "community" land.

Fulfilling our community's vision in planning for the future of the shire

The POM is a long-term planning document that guides the future of park policy for current and future generations. Along with requirements for consultation in respect of proposed changes in any park or reserve or re-categorisations, the processes for informing and inviting submissions in respect of all parks and reserves assists Council in implementing preferred vision in respect of these assets.

Supporting our diverse economy

Council-owned and Crown land under Council's care control and management is for everyone. Council establishes management objectives and regimes for "community" land and highly values these resources. The good management of our parks and reserves, which these documents enshrine, maintains impetus for Council as an employer in our community and has a significant impact on the quality of public spaces, valued by the community.

Maintaining sound corporate financial management

There are benefits associated with the ongoing life-cycle costs associated with the management of Council assets. These benefits and the ongoing commitment to the management of land are enshrined by the POMs.

Other sustainability considerations

Budgetary issues and climatic conditions can affect Council's capacity to maintain the qualitative and quantitative regimes described in each POM.

RESPONSIBLE OFFICER

The responsible officer is Peter Kemp, Manager, Parks and Landscape, telephone 9847 6792, hours 9.00 am to 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT:

1. The draft Generic Plan of Management for "community" land and Crown reserves in Districts 5 and 7 is placed on public exhibition for a minimum period of 42 days.
2. A further report is provided to Council following the public exhibition period and public hearing.

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Plan of Management (POM) Parts I & II
2. POM 5 & 7 - Berowra (1)
3. POM 5 & 7 - Berowra (2)
4. POM 5 & 7 - Berowra Heights & Berowra Waters
5. POM 5 & 7 - Cowan
6. POM 5 & 7 - Brooklyn
7. POM 5 & 7 - Dangar Island & Milsons Passage + Bibliography & Appendices
8. Kangaroo Point - Adopted Categorisation Mapping
9. MEMO - Property Development Manager - Kangaroo Point Community Land Categorisation - Land Use Redevelopment

File Reference: F2004/07806

Document Number: D01100974

6 LICENCE OF CARPARKING SPACES AT 4 CHILVERS ROAD AND 29 SEFTON ROAD THORNLEIGH TO NORTHRIDGE VINEYARD CHRISTIAN FELLOWSHIP INCORPORATED

EXECUTIVE SUMMARY

The owner of 6 Chilvers Road Thornleigh, Northridge Vineyard Christian Fellowship Incorporated (NVCF), has made a request to use a number of car parking spaces at Council owned property 4 Chilvers Road and 29 Sefton Road Thornleigh on weekends in association with its church activities, in line with the provisions of Council's Code for the Lease/Licence of Council Owned Land and Buildings to Community Groups.

Following assessment of the request and the concurrence of the existing lessees, Council officers are of the opinion that Council's interests would not be adversely affected if a 3 year licence was granted to NVCF to use a maximum of 30 car parking spaces on weekends.

This report recommends the granting of a 3 year licence to Northridge Vineyard Christian fellowship Incorporated on the basis outlined in the RECOMMENDATION of this Report.

PURPOSE/OBJECTIVE

The purpose of this report is to provide Council with information and seek its endorsement, to grant Northridge Vineyard Christian Fellowship Incorporated a 3 year licence of 30 carparking spaces at 4 Chilvers Road and 29 Sefton Road Thornleigh, on the basis outlined in the RECOMMENDATION of this report.

DISCUSSION

In December 2008 Council acquired the property at 4 Chilvers Road and 29 Sefton Road Thornleigh comprising two brick industrial warehouses and approximately 35 car parking spaces around the perimeter of the two buildings. On acquisition the property was classified as operational land in accordance with the provisions of the Local Government Act 1993. The two buildings are currently leased to SOS Removal Man Pty Ltd for a term of 5 years with a 5 year option to renew and Fluro Pacific Pty Ltd for a term of 3 years with a 3 year option to renew respectively. Under the provisions of the lease agreements the lessees are licensed to use the car parking spaces that surround their respective leased buildings during the term of their respective lease agreements at no additional rental.

On 24 July 2008, Council granted development consent for the use of an existing warehouse at 6 Chilvers Road as a place of worship. Incorporated into the consent was a requirement that the applicant construct a raised concrete car park for 15 spaces to address on-site car parking requirements. Following consent, the applicant reviewed the cost of the car park structure (in excess of \$200,000) and proposed that a more efficient use of land may be a shared car parking arrangement on adjoining land subject to actual car parking needs at various times.

The owner of 6 Chilvers Road, NVCF, has subsequently submitted an application seeking permission to use the car parking spaces located at 4 Chilvers Road and 29 Sefton Road

Thornleigh on weekends in association with its church activities in line with the provisions of Council's Code for the Lease/Licence of Council Land and Buildings to Community Groups. The Code, adopted by Council in May 2007, provides a framework for the equitable, efficient and effective lease/licence of Council's property assets to community groups. The Code assists Council officers to assess community group applications for the use of Council land and buildings identified as suitable for use by community groups in a transparent manner, based on agreed eligibility criteria, and formulate appropriate lease/licence terms and conditions for the consideration and endorsement of Council.

Advice has also been received from both lessees that they do not raise any objection to NCVF using 15 of each of their allocated car parking spaces on weekends for the same period as their respective lease agreements.

An assessment of the request received from NCVF has determined that currently the property is not identified as a property suitable for use by community groups. In the circumstances Council officers are of the opinion that Council's interests would not be adversely affected if a 3 year licence of 30 car parking spaces located at 4 Chilvers Road and 29 Sefton Road Thornleigh were granted to Northridge Vineyard Christian Fellowship Incorporated on the following basis:

1. **Licence Fee** – Market Valuation per annum + GST (To be assessed in accordance with advice to be obtained from Council's Consulting Valuer)
2. **Licence Fee Review** – Annually by movement in the Consumer Price Index.
3. The car parking spaces shall only be used by members, guests and/or representatives of NCVF on weekends outside the hours of operation of Fluoro Pacific Pty Limited and SOS Removal Man Pty Ltd.
4. Council shall not be responsible to the NCVF for the prevention of unauthorised persons from parking on or within the car parking area at any time.
5. NCVF shall ensure that whilst using the car park no matter or thing is done that may prohibit, constrict or limit the use of pathways, driveways or other common areas of the premises.
6. **Insurance** – public liability insurance, indemnity \$10 million
7. **Legal fees** – Full cost of licence preparation

As part of the licence application NCVF has indicated that it would be willing to pay a nominal rental of \$260 per annum (in total) for the right to use the 30 car parking spaces located at 4 Chilvers Road and 29 Sefton Road Thornleigh. While a formal valuation has not been obtained a local consulting real estate agent has advised that individual car parking spaces in the town centre of Hornsby are currently realising a licence fee in the range of \$1,800 per annum to \$2,160 per annum. Council officers are of the opinion that the nominal rental offer of \$260 per annum is less than satisfactory and it is recommended that Council require NCVF to pay the full fee determined by Council's consultant valuer. The final fee should address the fact that NCVF is only proposing to use the car parking spaces on weekends.

Having regard to the above Council officers recommend that a 3 year licence be granted to the Northridge Vineyard Christian Fellowship Incorporated on the basis outlined in the RECOMMENDATION of this Report.

In the event that Council does agree to grant a licence of the land, NVCF will still be required to lodge an application to modify its consent so as not to require the construction of a raised car park at 6 Chilvers Road for a period of 3 years.

BUDGET

The granting of 3 year licence to NVCF will provide Council with an increase in the level of income from the property at 4 Chilvers Road and 29 Sefton Road Thornleigh.

POLICY

This report has been prepared having consideration to the Code for the Lease/Licence of Council Land and Buildings to Community Groups.

CONSULTATION

There has been consultation with Northridge Vineyard Christian Fellowship Incorporated in the preparation of this Report.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes. The following Triple Bottom Line considerations apply to this Report:

Contributing to community development through sustainable facilities and services

The proposed licence will maximise the use of an existing car park area in the industrial area of Thornleigh for the benefit of residents of Hornsby Shire.

Maintaining sound corporate and financial management

The granting of the proposed licence to NVCF will provide Council with an acceptable financial return to the benefit of residents of Hornsby Shire.

RESPONSIBLE OFFICER

The officers responsible for the preparation of this Report are Mr Robert Holliday, Manager Waste Management and Mr Rod Drummond, Manager Commercial Property, who may be contacted on 9847 4816 and 9847 6589 respectively.

RECOMMENDATION

THAT: Council grant Northridge Vineyard Christian Fellowship Incorporated a 3 year licence to use a maximum of 30 carparking spaces at 4 Chilvers Road and 29 Sefton Road Thornleigh on the following basis:

- a. A licence fee equal to the current market licence fee shall be payable in respect of the car parking spaces assessed in accordance with advice to be obtained from Council's Consulting Valuer.
- b. The licence fee shall be reviewed annually in accordance with the movement in the Consumer Price Index.
- c. The car parking spaces shall only be used by members, guests and/or representatives of Northridge Vineyard Christian Fellowship Inc on weekends outside the hours of operation of Fluoro Pacific Pty Limited and SOS Removal Man Pty Ltd.
- d. Council shall not be responsible to the Northridge Vineyard Christian Fellowship Inc to prevent unauthorised persons from parking on or within the car parking area at any time.
- e. Northridge Vineyard Christian Fellowship Inc shall ensure that whilst using the car park no matter or thing is done that may prohibit, constrict or limit the use of pathways, driveways or other common areas of the premises.
- f. Northridge Vineyard Christian Fellowship Inc shall indemnify Council against all claims whilst using the car parking spaces in respect of public liability. Indemnity amount of \$10 million with such Policy to note Council as an interested party.
- g. Northridge Vineyard Christian Fellowship Inc shall bear the costs incurred in the preparation of the necessary licence documentation.

ROBERT STEPHENS
Executive Manager
Environment Division

ROB HOLLIDAY
Manager - Waste Management
Environment Division

Attachments:

There are no attachments for this report.

File Reference: F2008/00671
Document Number: D01103496

7 ADOPTION OF LOWER HAWKESBURY ESTUARY MANAGEMENT PLAN

At the 10 December, 2008 Ordinary Meeting of Council it was resolved that the adoption of the Lower Hawkesbury Estuary Management Plan (the Plan) be deferred until the March 2009 Ordinary Meeting following a presentation of the Plan to councillors. Councillors were provided with a briefing on the background and content of the Plan on 18 February 2009. The Plan is again provided for Council's consideration.

EXECUTIVE SUMMARY

The purpose of the Lower Hawkesbury Estuary Management Plan is to fulfil the requirements of the *NSW Estuary Management Policy 1992* and the *NSW Coastal Policy 1997*. The Plan describes how the estuary will be managed, gives recommended solutions to management problems and details a schedule of actions for the implementation of these recommendations. It specifically identifies measures that will enhance and protect the various assets of the Lower Hawkesbury.

Once adopted, the Plan will be implemented through a combination of research, education, compliance, planning and capital works initiatives. Partnerships, both internal and external to Council, will be established to maximise involvement and contributions from key stakeholders (including government agencies, universities, and commercial/community representatives). The implementation of the Plan will be overseen by a newly established Lower Hawkesbury Estuary Management Committee which will consist of community, commercial and government representatives.

The Plan contains a list of recommended strategies that have been designed and prioritised within a risk management framework based on ensuring the long term sustainability of the estuary's assets. The Plan outlines the implementation process for the protection of these assets, which includes details on time frames, costs, responsibilities and other information relating to implementation of the strategies. This Plan also provides a mechanism for the future monitoring and evaluation of the success of the Plan's implementation, along with contingencies in the event that specific targets and/or overarching goals and objectives are not met.

Production of an estuary management plan qualifies Council for funding opportunities and 50/50 subsidy arrangements, with the principal funding agencies being the NSW Government and the Hawkesbury Nepean Catchment Management Authority. Additional funding will be sourced from universities, Natural Heritage Trust Funds, the NSW Maritime Authority Infrastructure Grants Program, Department of Primary Industries Recreational Fishing Trust, Private Sector, etc. Approximately \$8.9 million will be required from all stakeholders to fully implement the Plan. Of this 50% will be spent on scientific investigations, education programs, planning and compliance (e.g. river keeper) and 50% is designated for capital works (such as stormwater improvements and foreshore infrastructure upgrades). Hornsby Shire Council will have responsibility for contributing approximately \$1.75 towards implementation of the Plan over a 10 year timeframe.

This Plan incorporates the Brooklyn Estuary Management Plan and provides the next phase of strategic planning for the Berowra Creek Estuary Management Plan which was completed

in 2008. Further, this plan provides an integrated approach to the management of the Lower Hawkesbury and incorporates all areas from Wisemans Ferry to Broken Bay, exclusive of Pittwater and Brisbane Water.

PURPOSE/OBJECTIVE

The purpose of this report is to:

- 1 Advise Council of submissions received and subsequent amendments made to the Draft Lower Hawkesbury Estuary Management Plan (as per Recommendations of Report EN30/08).
- 2 Present to Council the final Lower Hawkesbury Estuary Management Plan for adoption.
- 3 Recommend to Council that the Plan be adopted, noting the Plan incorporates the Brooklyn Estuary Management Plan.
- 4 Allow Council to proceed with establishing the Lower Hawkesbury Estuary Management Committee as per the terms of reference displayed publically as part of the exhibition period of the Lower Hawkesbury Estuary Management Plan.

DISCUSSION

In response to the 1992 Estuary Management Policy, Hornsby Shire Council has initiated an Estuary Management Program in partnership with state government agencies and the community. The Plan has also been prepared with consideration given to the Draft Coastal Zone Management Manual, and should satisfy the objectives for a Coastal Zone Management Plan under Part 4A of the Coastal Protection Act 1979. It is intended that once this plan is adopted by Hornsby Shire Council it will be presented to the NSW Government for gazettal.

The process of managing the Lower Hawkesbury Estuary, in accordance with this policy, was initiated by combining both the Berowra and Brooklyn Estuary Management Committees to form an Estuary Management Committee. This committee is responsible for the development and implementation of the draft Lower Hawkesbury Estuary Management Plan in the interim period until the Plan's adoption and public formation of the Lower Hawkesbury Estuary Management Committee.

Management of the Lower Hawkesbury estuary to date has been disparate, with no lead organisation having the sole authority or responsibility for managing all issues required for effective management of estuarine assets. This situation is recognised within the NSW Government Estuary Management Manual (1992), which provides the direction for a co-ordinated approach for estuary management by providing the necessary framework for establishing estuary management plans for discrete sections of the estuary. In 2005 the Hawkesbury Nepean Catchment Management Authority finalised the "Kimmerikong Report" (Kimmerikong 2005), which identified the following problems with the current segmented management approach:

- Narrowly defined programs which focus on a single issue or local issue with an inability to address wider implications on the estuarine system
- Problems being treated in isolation rather than on a "whole of estuary" approach
- Limited resources not being used to maximum effect

- Highly sectoral management systems with inherent rigidity resulting in gaps in responsibilities and no management
- Insufficient coordination between and within organisations leading to inconsistencies in management regimes and outcomes
- Failure to understand complex estuarine dynamics
- Inability to effectively identify impacts from up-stream development or cumulative impacts and advocate for remedial action
- Duplication of effort and expenditure by organisations sharing responsibility for the same issue
- Inability to identify funding within organisations that support work on estuary wide issues.

In response to these issues, Hornsby Shire Council took the initiative to develop the Lower Hawkesbury Estuary Management Plan to provide an integrated whole of estuary approach. The Plan provides the strategic direction for future management of the estuary and its associated assets. The Plan recognises that the risks influencing the sustainability of estuarine assets are a direct consequence of the health of the catchments within which it lies. The Plan has therefore adopted a risk management approach to developing and prioritising potential future management actions and strategies. Treatment of risks to the estuarine assets is to be facilitated through the action plan detailed within the document. By treating risks at this scale, through implementation of the Plan, benefits to the Lower Hawkesbury are anticipated to include:

- all risks to estuarine assets will be considered and not limited to local areas
- institutional and commercial goals and aspirations for preservation of estuarine assets will be coordinated and integrated
- improved strategic goals and objectives which are based on a system wide understanding of the estuary
- more efficient and effective use of government resources in reducing risks
- increased opportunities to access and integrate funding and research opportunities
- better use of local and regional knowledge
- creation of opportunities for projects and community groups to address similar problems in different parts of the estuary.

BUDGET

The existing estuary budgets coupled with agency grants will enable the majority of the plan to be implemented. If the need arises phase ups during the annual budget formation process will be proposed. To implement the Plan, approximately \$8.9 million will be required over 10 years from all stakeholders. Hornsby Shire Council's contribution will be approximately \$1.75 million towards this total.

POLICY

This Plan will provide a strategic direction for the implementation and management of Councils' Estuary Management Program for 10 years after the Plan's adoption.

CONSULTATION

This draft Lower Estuary Management Plan has been prepared by BMT WBM Oceanics Australia on behalf of Hornsby Shire Council and in consultation with the Brooklyn and Berowra Estuary Management Committee, government agencies and other key stakeholders.

The consultation for the development of the plan was principally coordinated by a series of workshops (November 2006, February 2007, March 2007). An information evening was held on the evening of the 25 September, 2008 to answer questions and concerns from community and government representatives. The Draft Lower Hawkesbury Estuary Management Plan was then publically exhibited from 11 August 2008 until 10 October 2008. Submissions on the Plan were received from:

- Hawkesbury Nepean Catchment Management Authority
- Ann Stewart, Gosford City Council
- Manager, Town Planning Services
- Manager, Environmental Health and Sustainability
- Diane Campbell, Coordinator, Biodiversity Planning and Management
- John Carrick, 29 Milsons Passage, Milsons Passage
- Cate Faehrmann, Nature Conservation Council
- Katherine Daniell, Research Student ANU

All comments were considered and incorporated into the Plan presented to Council for adoption. Participants and key stakeholders and media were formally notified during this public exhibition, as listed within Table-1.

Table-1 Formal notification list

Representation	Organisation
Community	Association for Berowra Creek Inc
Community	Australian Museum
Media	Berowra Bush Telegraph
Community	Boat Owners' Association
Hornsby Shire Council	Branch Manager - Assets
Hornsby Shire Council	Branch Manager - Town Planning Services
Commercial	Broken Bay Oysters
Media	Bushland Shire News
Commercial	Community Representative
Academic	CRES Australian National University
State Government	Crown Lands, Department of Lands
State Government	Department of Environment and Climate Change
State Government	Department of Environment and Conservation Metropolitan Branch
Commercial	Estuary Prawn Trawl Management Advisory Committee
Commercial	Fenwicks Marina
Media	Forgotten Valley Views
Media	Glenorie and District Gazette
Local Government	Gosford City Council
State Government	Hawkesbury Nepean Catchment Management Authority
Commercial	Hawkesbury River Marina
Community	Hawkesbury River Sailing Club Inc

Representation	Organisation
Media	Hills Rural News
Community	HNC Foundation Inc
Community	Hornsby Aboriginal & Torres Strait Islander Consultative Committee
Media	Hornsby Advocate
Community	Kuringgai Hornsby Anglers Casting Club
Media	Living Heritage
Hornsby Shire Council	Manager - Bushland and Biodiversity
Hornsby Shire Council	Manager - Environmental Sustainability and Health
Hornsby Shire Council	Manager - Environmental Sustainability and Health
Community	Mooney Hawks Fishing Club
Community	Nature Conservation Council of NSW
State Government	NSW Department of Environment & Conservation National Parks & Wildlife Service
State Government	NSW Department of Environment and Conservation
State government	NSW Department of Primary Industries
State Government	NSW Department of Primary Industries, Fisheries
State government	NSW Farmers Association
State Government	NSW Food Authority
State Government	NSW Maritime Authority
Community	NSW-Boating Industry Association
Community	OceanWatch Australia
Community	Recreational Fishing Association
Community	Sea Bees Boating Club
Community	SHURE- Save Hawkesbury River Unique River Environment
State Government	Sydney Water Corporation
Community	THREPS- The Hawkesbury River Environment Protection Society
Hornsby Shire Council	Water Catchments
Community	Windy Banks Fishing Club

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line attempts to improve council decisions by being more accountable and transparent on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

Working with our community

Community consultation through workshop facilitation was undertaken during the development of the Plan. The development of the Plan was overseen by members of the Brooklyn and Berowra Estuary Management Committees. The Public exhibition period and media releases enabled a wider exposure to the community, seeking their input into the plans development and appraisal during the public exhibition period.

Conserving our natural environment

The NSW State Government introduced the draft Estuary Management Policy in 1992, which is aimed at managing the growing pressures on estuarine ecosystems. The primary goal of the policy is to encourage the integrated, balanced, responsible and ecologically sustainable use of the State's estuaries. This Plan was developed to fulfil the requirements of this policy.

Contributing to community development through sustainable facilities and services

Proposed actions within the Plan will enhance facilities and services including waste collection, access to and maintenance of public wharves, safe navigation and passive recreational areas. Community involvement is an essential component of integrated estuary

management. The Plan has been designed to encourage and foster ongoing community participation including capacity building within the community.

Fulfilling our community's vision in planning for the future of the Shire

The Plan will enhance both the existing built and natural environment by maintaining a balance between a sustainable estuarine habitat and a viable recreational, commercial and social resource. Individual strategies were developed to protect and enhance existing values of the estuary, and to address issues that have been identified through scientific assessments and consultation with the local community and relevant stakeholder organisations.

Supporting our diverse economy

The Plan supports our diverse economy by providing opportunity for a range of ecologically and commercially sustainable estuary based industries. Several strategies provide support for industry to help ensure their long term viability.

Maintaining sound corporate and financial management

At this stage there are no adverse impacts in terms of corporate and financial management. While a number of the suggested strategies do have financial implications it is anticipated that most, if not all, of these costs will be accommodated within existing financial resources or through sourcing suitable external funding ventures.

Other Sustainability Considerations

International and local research on estuarine processes and management was utilised in the development of the Plan.

RESPONSIBLE OFFICER

The responsible officer is Mr Peter Coad, Team Leader - Estuary Management, telephone 9847 6766, hours 8.30 am to 5.00 pm, Monday to Friday.

RECOMMENDATION

THAT

1. Council adopt The Lower Hawkesbury Estuary Management Plan
2. Council establish a Lower Estuary Management Committee to oversee the implementation of the Plan, and publically seek membership for such a committee.
3. Council determine the councillor representation on the Lower Hawkesbury Estuary Management Committee for the positions of Chairperson and Vice Chairperson.

PREVIOUS ITEMS

EN47/08 - Adoption of the Lower Hawkesbury Estuary Management Plan - Ordinary - 10 December 2008

ROBERT STEPHENS
Executive Manager
Environment Division

Attachments:

1. Public consultation comments and ammendments to the Plan
2. Estuary Management Plan

File Reference: F2006/00723
Document Number: D01103831

8 AMENDED TERMS OF REFERENCE FOR THE EMPLOYMENT & ECONOMIC DEVELOPMENT TASKFORCE

PURPOSE/OBJECTIVE

The purpose of this report is to seek adoption of four minor amendments to the Terms of Reference for the Employment and Economic Development Taskforce, as attached.

DISCUSSION

At its meeting of 14 November 2007, Council resolved to establish an Employment and Economic Development Taskforce. The purpose of the Taskforce is to provide leadership and strategic direction regarding all aspects of economic development in the Shire.

The Terms of Reference for the Taskforce were adopted by Council at the beginning of 2008 and it was agreed that these Terms would be reviewed annually.

Following a recent review of the adopted Terms of Reference by Taskforce members, four minor amendments are recommended. These are:

Membership:

1. A Chairperson and Deputy Chairperson will be determined by the Taskforce (previously *Chairperson only*)
2. Manager, Corporate Strategy (previously *Executive Manager & Executive Planner, Strategy*)

Quorum:

3. The quorum shall be made up of 50 percent of the elected Councillor members (previously *not less than 2 Councillors*)

Meeting Schedule:

4. It is anticipated that the Taskforce will meet bi-monthly, subject to the discretion of the Chairperson, in consultation with the members. (previously *monthly*)

POLICY

Policies that relate to this report include the Economic Development Strategy 2007-2011; Sustainable Business Strategy 2007-2010; and the Hornsby Mall Strategic Management Plan 2006.

CONSULTATION

In the preparation of this report, consultation has occurred through the Employment and Economic Development Taskforce. Members include Councillors and staff representing various Divisions of Council.

RESPONSIBLE OFFICER

Kim Appleby, Research and Policy Development Officer, Strategy is the officer responsible for this report. She can be contacted on 9847 6014.

RECOMMENDATION

THAT

1. the amendments be noted
2. the amended Terms of Reference, as attached, be adopted.

JULIE WILLIAMS
Manager, Corporate Strategy
Strategy Division

Attachments:

1. Amended Employment & Economic Development Taskforce Terms of Reference

File Reference: F2004/10055
Document Number: D01106463

9 CAR SHARE SCHEME

EXECUTIVE SUMMARY

There are three companies in Sydney providing car share opportunities to residents. Discussion with these companies has indicated that car share is only likely to be successful in Hornsby Shire if Council is willing to become financially involved.

Council's involvement could include the purchase of "driving credits" for its own use or the use of other organizations that it sees fit to issue them to.

To further advance the proposed operation of a car share scheme within the Shire expressions of interest in running such a scheme should be called for.

PURPOSE/OBJECTIVE

This report seeks a formal resolution of Council to accept this report on car share and call for expressions of interest for the installation of car share facilities in the Hornsby Shire.

DISCUSSION

Notice of Motion NOM5/08 considered by Council at the Planning Meeting of 12 December 2008, resolved that -

1. Council investigate methods whereby a car share scheme can be implemented in suitable areas of the Shire
2. A report be prepared identifying the parameters of such a scheme, including potential operators, locations, parking and other issues, including any associated cost implications for Council, together with an implementation plan should Council resolve to proceed.

Car sharing allows people to have access to a car without having to own one. It encourages more environmentally friendly modes of transport by allowing people to use cars only when they need to.

Currently car share schemes use cars kept in a designated parking space within walking distance of member's homes or workplaces, which can be booked for a minimum of one (1) hour, with no maximum time limit. Members book online or by phone, and then use their access membership smart card to access the vehicle. The car key is kept in the vehicle. Various car types are available, depending on the provider, but can include small compacts, fun cars, larger cars and station wagons, utes, and people movers. Membership can complement car ownership by allowing access to larger or specific vehicle types.

Members pay various fees, depending on the individual company operating the scheme and the type of membership required, e.g. starter, occasional, or frequent use. The fee includes petrol, insurance, registration, cleaning, repairs, and capital depreciation.

Typical fees are a refundable security deposit of about \$500, a joining fee of about \$25 to \$50, \$4.50 to \$12 per hour with a kilometre charge of \$0.35 per kilometre, \$65 to \$80 per day with 150 kilometres free per day plus \$0.20 per extra kilometre.

There are three (3) companies operating car share schemes in Sydney, GoGet, Flexicar, and Charter Drive.

Car sharing works best in denser inner city suburbs with good public transport, and short journeys to major centres, particularly where car owners must park on-street or in nearby parking areas. It is less viable in lower density outer suburbs with poor public transport, longer journeys, and under cover parking provided with residential or commercial developments because in these areas residents and businesses have already acquired their own vehicles.

The RTA has issued “Guidelines for the Implementation of On-street Car Share Parking”, Technical Direction TDT 2007/04 September 2007. The guidelines include community consultation, priority, location, and enforcement of the dedicated parking spaces. They also include requirements that “*must be met*”. These requirements generally cover the information that must be displayed on the vehicle authorisation sticker, monitoring the performance of the scheme, and the signing and enforcement of dedicated car share parking spaces.

Discussion with the various companies providing car share schemes has indicated that they require population densities in excess of 45 people per Ha, or 30 to 50 members per car, a suitable tertiary education level which indicates on-line access and ability to calculate the benefits of the scheme, and a high percentage of households that do not own a vehicle. In addition a good mix of residential and commercial uses provides an even usage of vehicles, with commercial use during the day and residential use during the evenings and weekends.

The above conditions will not be met within the Hornsby Shire, however the Hornsby/Waitara and possibly Pennant Hills areas could still be considered as possible locations for a scheme. Discussions indicate that it may be possible for Council to provide seed funding for a scheme. One possibility is that Council could buy driving credits for its own use, or to give to appropriate other potential users. The minimum cost of driving credits is likely to be about \$10,000 per vehicle per annum. The cost roughly equates to the annual cost of a council vehicle, so this cost could conceivably be covered by removing vehicles from council’s fleet and using the car share scheme during business hours, thus enabling the vehicles to be used by residents in the evening and weekends. Schemes of this type of mix are in use in Randwick and Parramatta. The details of such a scheme would require further consideration if Council progresses the possibility of a scheme within the shire.

The only other involvement by Council would be the provision of one on street parking space dedicated to each car share vehicle which would require Local Traffic Committee endorsement to enable enforcement. Each parking space would only be available for a specific car share vehicle, serving as its storage or origin point. Visiting car share vehicles need to find their own parking spaces as would any other vehicle.

Car share schemes reduce the number of parking spaces required in residential and commercial developments. It is therefore possible to reduce the number of parking spaces required for new developments if car share schemes are incorporated within these developments, thus reducing air, water, and noise pollution. This may be considered for incorporation in future Development Control Plans.

BUDGET

There are no budget implications at this time, however if it is resolved to proceed further with the introduction of a car share scheme it is probable that it could cost in the order of \$10,000 for the first 12 months per vehicle.

POLICY

There are no policy implications in this report.

CONSULTATION

Consultation has occurred between Council Officers and GoGet, Flexicar, and Charter Drive.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

A Triple Bottom Line Assessment is not applicable as this proposal involves a recommendation to further progress the possibility of operating car share in Hornsby.

RESPONSIBLE OFFICER

This report was prepared by Council's Consulting Traffic Engineer, Traffic and Road Safety, Mr John Jenkins, telephone 9847 6616.

RECOMMENDATION

THAT

1. Council call for expressions of interest from the three companies operating car share in Sydney to determine their ability and conditions and locations they would operate car share in the Hornsby Shire.
2. Car share schemes are to be taken into consideration when developing the DCP's for the areas proposed for Hornsby Shire Housing Strategy (2008-20016) and Employment Strategy

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

There are no attachments for this report.

File Reference: F2007/01499

Document Number: D01099143

**10 "WELLUM BULLA" - HORNSBY SHIRE COUNCIL MATERIALS
HANDLING FACILITY MONITORING COMMITTEE**

EXECUTIVE SUMMARY

Condition 11 of the Development Consent No 2393/03 for the Hornsby Shire Council Materials Handling Facility required the establishment of a Monitoring Committee to overview and monitor the operation of the facility. The Monitoring Committee comprises five Councillors; the Executive Manager, Environment Division; the Executive Manager, Works Division; a representative of the Metropolitan Aboriginal Land Council; an environmental representative and four community representatives. The Monitoring Committee meets each four months on site at the facility. The minutes of the most recent meeting are reported to Council for consideration.

PURPOSE/OBJECTIVE

The purpose of this report is to advise the Council of the Monitoring Committee meeting held on site on Thursday, 19 February 2009 and to recommend actions contained in the minutes of the meeting.

DISCUSSION

The minutes of the Hornsby Shire Council Materials Handling Facility Monitoring Committee held on 19 February 2009 are included in this report as an attachment.

BUDGET

No impact on the budget.

POLICY

Any actions will be in accordance with Council's policies

CONSULTATION

Bruce Adcock – Environmental Planning Pty Ltd.

TRIPLE BOTTOM LINE SUMMARY

Triple Bottom Line is a framework for improving Council decisions by ensuring accountability and transparency on social, environmental and economic factors. It does this by reporting upon Council's strategic themes.

As this report simply provides Council with information and does not propose any actions which require a sustainability assessment, no Triple Bottom Line considerations apply.

RESPONSIBLE OFFICER

This report has been prepared by Peter Powell, Manager Engineering Services. Further information can be obtained on 9847 4803.

RECOMMENDATION

THAT Council note the attached Minutes of the Hornsby Shire Council Materials Handling Facility Monitoring Committee held on 19 February 2009.

MAXWELL WOODWARD
Executive Manager
Works Division

Attachments:

1. Minutes - 19 February 2009
2. Monitoring Report, Site and Environmental Management Plan Audit

File Reference: F2004/09261
Document Number: D01103922

11 CAR PARKING - HORNSBY TOWN CENTRE

PREVIOUS REPORTS

ST13/07, Councillor Workshop on Strategic Property Holdings on 6 May 2008.

EXECUTIVE SUMMARY

At the Ordinary meeting of Council held on 10 December 2008, Council resolved (NOM6/08) –

“THAT a report be prepared for Council's consideration of the provision of a multi-level car park in Hornsby.

This report should include the availability of suitable sites, any studies that have been undertaken on the financial viability of this proposal and any potential support that may be available from outside of council.”

This report has been provided in response to NOM6/08 and addresses the above matters, together with additional information in relation to:

- the existing provisions of the Hornsby Town Centre Development Control Plan (DCP)
- “constrained” development sites
- Section 94 car parking plan and contributions
- Design and construction
- Fringe Benefits Tax (FBT)

It is recommended that Council further pursue this matter when the findings of the car parking policy/strategy currently being prepared by the Traffic and Road Safety Branch, are considered later this year.

PURPOSE/OBJECTIVE

The purpose of this report is to provide information to assist Council in its understanding of the issues associated with car parking in the Hornsby Town Centre.

INTRODUCTION/BACKGROUND

There is a total of 777 public on-street and off-street car parking spaces in the Hornsby Town Centre, excluding private off-street parking areas such as Westfield, Railcorp and other private car parks. Public streets adjacent to the Town Centre are also used for parking. This ‘catchment area’ provides an additional 1400 spaces, giving a total of approximately 2,180 spaces. The streets at a greater distance from the Town centre generally have unrestricted parking and are used mainly by rail commuters and local employees. Time limited parking

exists in streets closer to and within the Town Centre. The Town Centre and adjoining catchment area are shown in Attachment 1.

Council provides 322 public off-street car spaces in its Burdett Street car park (68 spaces), Dural Street car park (49 spaces), William Street car park (87 spaces) and business hours parking in the RSL and Community car park in William Street (118 spaces). See Attachment 2.

Recent parking utilisation surveys undertaken in Hornsby Town Centre established that peak utilisation of public on-street and off-street parking spaces occur between 11:00 am and 1:00 pm when about 83% of available spaces are occupied. This 83% comprises peak utilisation of 85% on the west side and 74% on the east side. Demand for unrestricted parking spaces (rail commuters and local employees) is generally higher. Peak utilisation of the off-street Council Car Parks was established to be about 89%. Attachment 3 contains a summary of the parking survey results.

In developing the planning controls for the Hornsby Town Centre, Council recognised the importance of providing for additional car parking resulting from future development. In 2004 Council engaged an Urban Design Consultant to identify the additional car parking needs in the Town Centre, from potential development sites.

The capacity of these potential development sites to reasonably provide the required car parking on site was examined. A number of “constrained” sites were identified and a shortfall in car parking able to be provided on site was determined. The shortfall was envisaged to be met by the imposition of a Section 94 car park contribution, currently \$22,000 per space, in lieu of onsite parking. This money would then fund the provision of public parking on Council owned sites.

The Hornsby Town Centre Development Control Plan (DCP) came into force on 19 October 2006, with the Section 94 Development Contributions Plan 2007-2011 effective from 1 November 2007.

Hornsby Town Centre Development Control Plan (DCP)

The DCP specifies three suitable sites for the provision of future public car parking, being the George Street Library site and the William and Dural Street car park sites. It also identifies 3 constrained parking sites and one site that can't provide any on site parking, and notes that the parking should be provided in a public car park. See Attachment 4.

The DCP provides concept plans for basement parking on the Library site and multi-deck parking on the William and Dural Street sites. It does not, however, quantify the number of car spaces. The 2004 study suggested the potential for 272 car spaces in the Library site and 255 spaces on the William/Dural street sites.

Section 94 Development Contributions Plan 2007-2011 (Sec 94 plan)

The Sec 94 plan contains a number of strategy plans, including a Roads and Traffic Management Facilities plan (Roads plan). The Roads plan addresses car parking in the Hornsby Town Centre (section 3.6.8) and quotes a contribution rate of \$22,000 for each space unable to be provided on site. It refers to the concept plans for the public parking developments in the DCP and quotes that about 230 spaces are to be provided in the eastern precinct and 314 spaces in the western precinct.

DISCUSSION

Car parking is provided in and around the Hornsby Town Centre to accommodate the demand for parking from shoppers, workers and commuters. Essentially, parking within the Town Centre is predominantly time limited to benefit shoppers and short stay visitors to the Centre. Off street and Town Centre fringe car parking is provided for workers within Hornsby, whilst unrestricted on street parking in the vicinity of the Town Centre provide a further 1400 car spaces for commuters and other uses.

Council has previously adopted the position that the provision of commuter parking is a state government responsibility, as such parking demand is generated by the railway station and does not contribute to the local economy. On this basis, commuter parking has been accepted in the streets adjoining the Town Centre. Pressures for additional short stay parking are noted and are being assessed by the Traffic and Road Safety Branch.

Hornsby Town Centre Car Parking Strategy and Review

On 12 September 2007, Council considered report ST13/07 concerning the draft Sec 94 plan and resolved, inter alia, to adopt the plan, subject to certain amendments. In addition, Council resolved to have a car parking policy/strategy prepared in light of the issues raised by the Traffic and Road Safety Branch to, inter alia, review the contributions policy, develop a sustainable funding strategy and recommend an appropriate contribution rate. This report was commenced last year and is scheduled to be completed in the second half of this year. This report will also deal with commuter parking.

This project involves a complete review of the Town Centre Car Parking Strategy and Car Parking DCP. It will recommend options and strategies for accommodating additional car parking demand from new development in the Town Centre over the next 10 to 15 years.

Several other car parking studies, including studies on feasibility of introducing 'Pay Parking' and the Shire's Integrated Land Use and Transport Strategy have been recently undertaken by the Traffic and Road Safety Branch. The car parking study revealed peak (between 11.00 am and 1.00 pm) utilisation of the Town Centre parking to be 83% as previously mentioned in this report. This will be reported to Council in the near future.

Hornsby RSL and Community Car Park

In the early 1990s, Hornsby Council partnered the Hornsby RSL Club in developing a multi-deck car park at 1-7 William Street Hornsby. Council sold its land at 1-5 William Street to the RSL for \$1.1m. Council later contributed \$870,000 towards the construction cost of the car park in consideration of a 99 year lease over 119 car spaces (between 8am and 6pm, 7 days per week).

The car park provides 244 car spaces over 8 split levels (G, 1, 2, 3), comprising 36 secure spaces on lower ground, 118 public spaces on ground to part level 2, and 90 RSL member spaces on part level 2 to level 3.

The dimensions of the car park are 48.5m X 34.6m. The land area equals 1,678m² over 4 levels, calculates to a car park area of 6,712m². Although this car park is considered to be "tight", it is considered to be highly efficient (1 space per 27.5m²).

In considering suitable sites for multi-deck parking in the Hornsby Town Centre, this development represents a good benchmark from which to model car park design and construction analysis.

Design and Construction of Car Parks

A brief analysis of the design and cost of providing public parking of 1-3 levels has been completed. This has been included in the confidential memo to Councillors attached to this report. The analysis broadly compares the possible design and construction of up to 3 level (deck and basement) car parks in each of the William and Dural Street car parks.

The analysis reaches the following conclusions:

1. That the most efficient and cost effective design requires each aisle of a car park to service two rows of parking.
2. When including the value of land (development potential), basement parking is the most cost effective method of providing parking, subject to the scale of development on top. Ground level \$41,000 per space, multi-deck \$32,000 per space and basement \$23,000 per space.

Ongoing operating and maintenance costs are lowest for the ground level bitumen car park, whilst the multi-deck will require lighting and periodic painting and the basement will require lighting, painting and ventilation. There are different advantages and disadvantages associated with each type of car park in relation to security, weather and convenience.

The cost of the basement public parking referred to in this analysis would be increased if the development potential of the land (above) were to be optimised. Depending on the scale of the development, the provision of additional parking, generated by the development, will necessitate deeper excavation to accommodate both the private and public parking. Although the public parking should be placed on the upper levels of the basement parking, it causes deeper excavation and its attributable costs quickly rise to, say \$40,000 per space.

At some point, these additional excavation costs no longer make basement parking efficient. Therefore, the development potential may be limited to a lower scale, or transferred to adjoining land; and needs to be examined on a case by case basis.

Possible sites for multi-deck parking in the Hornsby Town Centre

By reference to the above analysis a minimum land area of say 2,000m² would be required for an efficient multi-level car park construction. Three possible sites have been identified that may be suitable for development of multi-level (above or below ground) parking. Refer map Attachment One.

These sites are all Council owned and comprise the William Street car park (1), the Coronation/Jersey Street site (2) and part or all of the Library site (3). The possibility of private or State owned sites being available or suitable has not been considered although the use of the northern section of the State rail land adjacent to the east side of the railway line, and the TAFE student car park on Jersey Street for parking purposes is noted. Additional comments are included in the confidential memorandum that accompanies this report (Attachment 5 – information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business - S10A2(c)).

The William Street site has been identified as a possible site for re-location of the Central Library, above a basement car park. The Dural Street car park is considered to be inefficient

in footprint and better suited to disposal to provide some funds for car park construction. The Coronation Street site is on the 'fringe' of the Town Centre, but well located for car parking, however it suffers from heritage constraints. The Library site allows development of up to 5:1 which would itself generate such additional parking as to make the cost of provision of public parking uneconomic.

There have been no studies undertaken to assess the viability of any of these sites at this stage, however it is anticipated that the car parking study may make recommendations in this regard.

Parking Space Levy

The Parking Space levy was introduced by the State Government to discourage car use in major commercial centres, and to encourage the use of public transport. The levy funds public transport infrastructure projects which make it easier and more convenient for people to access public transport services. It is understood that funds generated by the levy have been used to fund car parking facilities and interchange facilities at railway stations throughout the metropolitan area, however staff are not aware of any proposals in this regard at Hornsby. These funds would not be available for exclusively local parking facilities.

Subject to the results of the car parking study, Council may wish to investigate at a later date, whether this potential source of funding would be available for a commuter facility if considered in conjunction with a proposal by Council to also provide short stay parking facilities, and subject to identification of a suitable site.

Commercial Parking Stations and Fringe Benefits Tax (FBT)

One option to fund public parking is to provide paid parking stations (such as currently exists at Parramatta City Centre). The impact of FBT on the local economy and development needs to be carefully considered for this option.

Additional comments are included in the confidential memorandum that accompanies this report.

Conclusion

The current provision of public parking within the Hornsby Town Centre achieves a peak utilisation of 83% (considered to be approaching capacity), during the peak lunchtime hours of 11:00 am and 1:00 pm. Council is unaware of any plans for new development that may increase demand at a rate greater than currently experienced. Under the prevailing economic conditions, it is unlikely that this will change in the short to medium term. On this basis, shoppers and short stay visitors are able to be catered for. Commuter parking competes with other parking for the use of spaces closer to the Town Centre.

The initial design and construction analysis for multi-level car parking reveals basement parking to be the most cost effective method of providing public parking. However, this is subject to excavation costs and the car parking generated by the potential development on each site, in addition to the public parking to be provided. Therefore, each potential car parking site must be considered on its own merits.

Having regard to the current supply meeting demand, the outlook for additional demand, the current and forecast economy and the funding position of Council, it is considered appropriate that Council hold its present position on car parking. It is recommended that

Council further pursue this matter when the findings of the car parking policy/strategy being prepared by the Traffic and Road Safety Branch, due to be completed later this year, are available. This will provide Council with solid guidance on the future directions for car parking in the Town Centre.

BUDGET

The Section 94 Development Contributions Plan 2007-2011 became effective from 1 November 2007. Since that time, Council has received no car parking contributions to the fund.

There is currently no budgeted funding for the development of additional off-street public parking in the Hornsby Town Centre.

POLICY

No policy issues are attached to this report.

CONSULTATION

This report has been prepared in consultation with the Manager, Town Planning Services; Manager, Traffic and Road Safety; Transport Planner and Executive Manager, Works Division.

TRIPLE BOTTOM LINE SUMMARY

This report responds to a Notice of Motion and is for information only. It proposes no additional actions to those presently underway. Therefore, it is considered that a Triple Bottom Line Summary is not required.

RESPONSIBLE OFFICER

This report has been prepared by Council's Manager, Property Development, Mr Peter Thompson. Additional information can be obtained prior to the Ordinary meeting on 9847 6669.

RECOMMENDATION

THAT:

1. The report be received and noted.
2. Council further consider the need for additional car parking in the Hornsby Town Centre in the context of the car parking policy/strategy currently being prepared by the Traffic and Road Safety Branch.

MAXWELL WOODWARD

Executive Manager
Works Division

Attachments:

1. Map of Hornsby Town Centre and Parking Catchment
2. Existing and potential car parks
3. Summary of car parking survey results
4. DCP - Access and Parking Plan
5. Confidential Memo - WD Memo No 9/09 - *This attachment should be dealt with in confidential session, under s10A (c) of the Local Government Act, 1993. This report contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.*

File Reference: F2008/00066

Document Number: D01108149

12 MAYOR'S NOTES FROM 1 TO 31 JANUARY 2009

Tuesday 20 January – The Deputy Mayor, on behalf of the Mayor, attended the Rotary Club of Pennant Hills Australia Day Award Presentation at Beecroft Bowling Club.

Monday 26 January – The Mayor hosted the Australia Day Citizenship Ceremony and Presentation of Citizen and Young Citizen of the Year at Pennant Hills Community Centre.

Wednesday 29 January – The Mayor attended a Service to celebrate the commencement of Ministry of Reverend Brian Leslie Heath as Rector of St John's Church at Asquith.

Friday 30 January – The Mayor attended the Bharatiya Vidya Bhavan Australia Interfaith Prayer Meeting at Parliament House, Sydney.

Friday 30 January – The Mayor attended the Australian Chinese Community Association 2009 Chinese New Year Banquet at the Marigold Citymark Seafood Restaurant, Sydney.

Saturday 31 January – Councillor Hutchence, on behalf of the Mayor, attended the Year of China in Australia 2008-2009 Festival Closing Ceremony at the State Theatre, Sydney.

Please note that these are the functions that the Mayor, or his representative, has attended in addition to the normal Council Meetings, Workshops, Mayoral Interviews and other Council Committee Meetings.

File Reference: F2004/07053
Document Number: D01099239